



Gladman Developments Ltd

Basingstoke and Deane Local Plan Examination

Issue 4 – Other Housing Matters

Question 5: Distribution of Housing Development

5.1 Is the Plan's distribution of overall housing development, including indicative levels of housing growth in the borough, as set out in Policy SS3, the Council's Document PS/02/14 and the 2014 Strategic Housing Land Availability Assessment (SHLAA) (HO4), justified and at the right level of detail for the Plan?

5.1.1 Gladman submit that as currently proposed the Local Plan fails to provide a justified or effective strategy for meeting Basingstoke and Deane's housing needs. We critically submit that further housing should now be directed to the borough's rural service centres and villages consistent with meeting the authority's full objectively assessed needs, and that the Local Plan fails to promote a sound or appropriate strategy for meeting the development requirements of Tadley.

5.1.2 The Local Plan seeks to meet the majority of the borough's housing needs through a number of large strategic allocations on the edge of Basingstoke town. Whilst recognising the general principle of large scale schemes of this nature, sites of this scale are often slow to come forward due to the need for significant up-front planning work, the negotiation of legal agreements and provision of infrastructure before housing can be provided. Some of the authority's proposed allocations are forecast to deliver housing at a rate of up to 300 homes per year by 2018/19, with planning consents yet to be granted and works still to commence on site. Gladman question whether the Council's projections for these sites are realistic, taking account of likely lead-in times and the level of homes that can be sustained by the local market and developers.

5.1.3 Gladman have previously commissioned consultants Hourigan Connolly to undertake a nationwide report looking into the factors that are associated with bringing forward major urban extensions (sites greater than 500 dwellings), the timescales for their delivery and rates of development once proposals get underway. Emphasising that the delivery of urban extensions is often problematic and that timescales associated with the provision of housing on such sites are significant, Hourigan Connolly find that an eight-year period should be allowed for from the

preparation of an outline planning application to the delivery of homes. The findings of Hourigan Connolly's study are provided in full at Appendix E (might need to move to another statement – lots of appendices already) to this hearing statement, and further emphasise Gladman's delivery concerns.

- 5.1.4 The Council should recognise that there are other settlements in the borough, away from Basingstoke town that could sustainably deliver further housing in the short to medium term to meet Basingstoke and Deane's full objectively assessed needs. To achieve a five-year housing land supply and provide a continuous supply of homes over the lifetime of the Local Plan, we submit that the Council should now be proposing to direct further housing to sustainable settlements such as Sherfield on Loddon and Tadley, helping to achieve a more balanced spatial strategy. Gladman question whether as currently proposed the Local Plan provides sufficient scope for sustainable development in the authority's rural communities.
- 5.1.5 Tadley is one of the largest and most sustainable settlements in the Basingstoke and Deane authority area. Categorised as one of three borough Service Centres in the Council's Sustainability of Settlements Report (June 2008), the town is identified as a District Centre in the Local Plan's emerging retail hierarchy and is described as one of the most appropriate locations for development in the borough in the Council's adopted Local Plan proposals. With a population of 11,473 residents at the time of the 2011 Census, the town benefits from a good range of services and facilities, with excellent public transport links to Basingstoke and the wider surrounding area.
- 5.1.6 Despite Tadley's classification as one of only three higher tier settlements in the borough after Basingstoke town, the Local Plan fails to direct any housing growth or allocations to the settlement on the sole basis of its proximity to the Aldermaston Atomic Weapons Establishment (AWE). Describing that this position has been reached in consultation with the AWE Off-Site Planning Group, the Council consider that is unable to make a robust case that development in the town would be suitable and deliverable at this time.
- 5.1.7 Whilst recognising that the Aldermaston AWE is an important consideration in the assessment of development proposals, Gladman assert that there is no sound basis or justification for the Council's decision to exclude Tadley from the Local Plan's spatial strategy. The AWE's implications for further housing growth in Tadley has now been considered by both the Secretary of State and the Council's own planning committee in respect of the Boundary Hall¹ and Burnham Copse Primary School² proposals, where the very real but small risks to public safety were considered to be outweighed by the benefits of development. Gladman contend

¹ Appeal Ref: APP/H1705/V/10/2124548 – See Appendix B

² Minutes of Planning Committee held 25th February 2015 – See Appendix C

that the extremely remote likelihood of an accident with off-site consequences at the AWE does not support the Council's disproportionate policy approach.

5.1.8 To gain a clearer understanding of the Council's position, Gladman have commissioned consultants Mike Thorne Associates to assess the extent to which potential accidents at the AWE should be a material consideration in defining Tadley's role in the Local Plan. Provided in full as Appendix A to this statement and taking account of the regulatory framework within which developments in the vicinity of nuclear licensed sites must be considered, Mike Thorne's evidence demonstrates why the Council are advancing a strategy that is overly restrictive in response to Tadley's policy situation:

- The limited size of accidents with off-site consequences that could occur at the AWE means that effective radiation doses to residents of Tadley from a bounding reference accident would be relatively low, i.e. in the range of 2 to 17 mSv, even if they did not shelter, as they are advised to do. For worst case accidents effective doses could be a factor of two larger, but the frequency of such accidents would be about a factor of ten lower than for bounding reference accidents. These effective doses are similar in magnitude to those arising from natural background radiation or from a single CT scan. This is not to argue that they are of no importance, but they are within the range commonly experienced by members of the public in the course of their everyday life
- The frequency of accidents with off-site consequences are low - below one in ten thousand per year for bounding reference accidents and below one in one hundred thousand per year for worst case accidents. This means that the annual risk of death from accidents up to and including the bounding reference accident in size is no more than about one in ten million. For larger accidents, the risk of death is no more than one in fifty million. These risks are those that would arise in the absence of sheltering, which would substantially mitigate the risks. Even without sheltering, the risks are similar to, or less than, those of being killed by being struck by lightning and are more than a factor of ten below the boundary of the broadly acceptable risk region, as defined by the Health and Safety Executive (HSE)
- If a bounding reference accident were to occur with the wind blowing toward Tadley and mitigation of effective doses by sheltering was not taken into account, about four deaths are projected to occur as a result of the accident. These would arise over several decades and would not be detectable against the general mortality of the

population over that period. Nevertheless, this number of projected deaths emphasises why it is important to have an appropriate off-site emergency plan in place

- The AWE Off-Site Emergency Plan properly emphasises warning and informing with a view to achieving short-term sheltering. Such sheltering would very substantially reduce the effective doses incurred by individuals present downwind of the accident. Such sheltering would only be required until the atmospheric release from AWE Aldermaston had ceased. This would typically be a few hours. Provision of such advice is largely automated and does not place a heavy load on the authorities
- It is possible that if less restrictive planning requirements were imposed within the DEPZ that Tadley could increase in population relatively rapidly. Nevertheless, there is limited space for development within the current DEPZ. Together with observations of the growth in population of Wards outside the DEPZ between 2001 and 2011, it seems unlikely that the population of Tadley would grow by more than about 3,000 or 20% of the current population. In terms of sheltering, it seems likely that the new housing stock would have better control on ventilation and be more suitable for sheltering than some of the existing stock. Overall, a growth in population of up to 20% might require some detailed changes to the off-site emergency plan, but there is no reason to suppose that substantial qualitative changes would be required.
- As the off-site emergency plan has to be revised every three years, it should be straightforward to integrate updates with the implementation of proposed residential and other developments. However, it will be important to ensure that the design of these developments gives consideration to key issues in emergency planning and that access for emergency services to AWE Aldermaston is not impaired, or is enhanced
- Even if there was a significant increase in the population of Tadley, it seems clear that it would still comply with the general requirement that the general characteristics of the area around this nuclear licensed site should be preserved.

5.1.9 The Council must recognise that its strategy for Tadley will result in a number of avoidable and adverse consequences for a town that has already seen its resident population fall by 183 people between the 2001 and 2011 Census. As already acknowledged in the Council's own Sustainability Appraisal and discussed further by consultants Rural Solutions in Appendix D to this statement, a lack of further housing development in Tadley is likely to have a number of social and economic consequences that include:

- A further exacerbation of the unhealthy population change that has taken place in the town over the past ten years, which has seen its overall population decrease by -2%

compared to the average borough change of +10%, with a 19% fall in the number of residents aged 16 and under a 28% increase in the population aged 65 and over.

- A suppression of house building that is likely to create difficulties for young families and working age households looking to remain in the area, leading to a reduction in the expenditure that is available to maintain the town's status as a district retail centre and support local shops and support for key services
- A shrinking population and pool of labour to support local businesses and employers. Further housing provision within Tadley would help to provide local homes for workers at the AWE, helping to reduce unsustainable commuting patterns associated with employees travelling into the town.

5.1.10 Whilst Gladman welcome the flexibility offered by Local Plan Policy SS7 and the ability to provide small scale developments where these can be accommodated within the AWE Off-Site Emergency Plan, we submit that this does not resolve the fundamental issue that there is capacity for a more substantial level of development within Tadley. Although the supporting text to the policy indicates that consultation zones around the AWE and the Office for Nuclear Regulation's (ONR) advice in respect of proposals may change over time, the Council fail to describe how this may lead to review of the Local Plan's approach. Gladman note that a recent review recommended that the Aldermaston DEPZ should be set at a revised radius of 2.125 km from the centre of the AWE site.

5.1.11 To be found sound at Examination and considered justified and effective Gladman submit that the Local Plan's approach to Tadley must now be revised to make specific provision for further housing to be delivered in the town. It must now be acknowledged that there is further scope for housing development to come forward to meet Tadley's needs, without leading to unacceptable risk to human health and affecting the AWE Off-Site Emergency Plan arrangements. Gladman reiterate that there is no reference to restricting development due to the presence of AWE installations in footnote 9 of the Framework.

5.2 Should essential strategic allocations of housing land be shown indicatively on the Key Diagram?

5.2.1 We have no specific comments on this question

5.3 In the light of the requirements of the Framework for clear policies on what will be permitted and where (paragraph 154), is the level of detail shown on the Policies Map appropriate?

5.3.1 We have no specific comments on this question

Question 6: Deliverability of Housing

6.1 Is the overall level of housing provision deliverable, especially in relation to viability? In particular, is there adequate justification for the supply that is expected from existing commitments, identified opportunity sites and small windfalls?

- 6.1.1 Gladman note that a number of the Council's strategic Greenfield allocations require significant levels of supporting infrastructure with associated developer funding requirements. The policy requirements for the strategic allocations around Basingstoke in particular may require a substantial package of infrastructure improvements to be provided and implemented if housing is to come forward as expected on these sites. Gladman question whether these requirements will impact on the viability and delivery of this project, leading to delays in the supply of homes.
- 6.1.2 The authority's envisaged land supply includes an allowance for 600 dwellings to come forward on windfall sites. In this regard Gladman refer the Council to the requirements of paragraph 48 of the Framework, and the circumstances in which windfall sites may be counted towards the supply of housing land. The Council should ensure that it has compelling evidence that such sites have consistently become available and will continue to form a reliable source of supply.
- 6.1.3 The Council relies on an urban/brownfield opportunities supply of 1,323 homes to meet its proposed housing target. Whilst recognising the ability for housing to come forward on unallocated sites, Gladman submit that this represents a large component of the Council's identified land supply where there is no guarantee that housing will be provided as expected. Gladman question whether this represents an appropriate basis on which to plan for the borough's housing needs, and provides sufficient certainty over delivery.

6.2 In all other respects, are there reasonable prospects that an appropriate range of housing by size and type will be delivered through the Local Plan, including Policy CN3?

- 6.2.1 We have no specific comments on this question

Question 7: Landscape and other constraints on development

7.1 Are the Plan's landscape protection policies (EM1-3) sound and how much weight should be given to them as constraints to new development? How important are the proposed strategic gaps and how should they be designated?

- 7.1.1 Gladman strongly question the soundness of Policy EM2 and whether the Council's Strategic Gap proposals are consistent with the requirements of national policy. The authority's proposed approach to defining these areas lacks any specific support in either the Framework or PPG, and may only serve to unjustifiably restrict otherwise sustainable development from going ahead.
- 7.1.2 It is unclear how a number of the Council's strategic gap proposals fulfil the authority's own designation criteria. In this regard we particularly question the rationale for including land to the north of Goddard's Lane, Sherfield on Loddon in the Basingstoke/Chineham – Bramley/Sherfield on Loddon strategic gap area. It is unclear what purpose a strategic gap in this location would serve, with the presence of established woodland to the north helping to diminish any physical or visual coalescence with the nearby village of Bramley and a significant area of undeveloped land separating the settlement from Chineham. Gladman submit that there would be clear capacity for further development in this location, without affecting the existing character of the village and respecting the character of its setting.
- 7.1.3 The Council has further sought to introduce a strategic gap between the conjoined settlements of Tadley and Baughurst. Aimed at maintaining an area of separation between the two communities to the south of Bishopswood Lane, we submit that this proposal is completely inconsistent with the findings of the Council's 2008 and 2010 Landscape Capacity Studies, which identified this land as the least sensitive and most logical area to accommodate further growth outside of the existing settlement area, and would only act as a further barrier to supplying additional development in the town. Gladman submit that there is clear scope for bringing forward further growth in this location, without eroding the physical or perceived separation between the two communities.

Question 9: Is Policy SS6 justified and in accordance with national policy?

9.1.1 Gladman submit that the requirements of Policy SS6 and the Council's use of settlement boundaries are overly restrictive and may only serve to preclude otherwise sustainable development from going ahead. In this respect we refer to the Council to paragraphs 21 and 23 of a High Court decision in respect of North Devon District Council³, which illustrates that policies that place a blanket restriction on development, such as settlement boundaries, are fundamentally contrary to the Framework in that they fail to allow the proper planning balance it requires to be carried out.

³ Colman v. (1) SoS for Communities and Local Government and (2) North Devon District Council and (3) RWE Npower Renewables Limited [2013] EWHC 1138 (Admin)

Question 10: Does Policy SS5 provide an acceptable level of guidance for the preparation of Neighbourhood Plans, especially in relation to the delivery of housing?

- 10.1.1 Gladman question whether the Local Plan provides an adequate and balanced spatial strategy in respect of Basingstoke and Deane's rural communities. We query whether the Council has properly assessed the ability to bring forward a higher level of development in the borough's rural villages and taken account of the adverse implications this could have on their ongoing sustainability and vitality.
- 10.1.2 The Local Plan describes how 40% of the borough's total population live outside of the main authority town of Basingstoke and adjacent community of Chineham, yet its proposals seek to direct just 7% of the Council's overall housing requirement to these parts of the authority area. Outside of the named settlements listed in Policy SS5, its proposals would allow for the delivery of just 12 additional homes in each of the borough's category 4 villages.
- 10.1.3 The Council should acknowledge that is clear scope for providing further development in the borough's rural villages. In this respect, we particularly assert that there is capacity for additional growth in the village of Sherfield on Loddon, as evidenced by consultants Rural Solutions in Appendix D to this statement.
- 10.1.4 Sherfield on Loddon represents a sustainable and suitable location for additional housing development. Located 8km to the north east of Basingstoke town, the settlement benefits from a good range of services within the village and immediate surrounding area, with frequent public transport links to nearby larger service centres.
- 10.1.5 Despite its existing sustainability credentials, Sherfield on Loddon faces a number of threats to its ongoing vibrancy. The village is affected by an ageing population and a lack of suitable housing for younger people and small families, with the potential to undermine the social capacity of the community and the viability of key local services. Allowing for further market and affordable housing to come forward in the settlement, over and above the levels currently proposed through the Local Plan, would help to alleviate these issue.
- 10.1.6 Gladman note that as part of modifying its proposed housing requirement the Council were asked to consider the potential to deliver a higher level of housing in the borough's villages through Neighbourhood Plans. Dismissing this suggestion on the basis that it could disrupt the work being undertaken by these communities, the Council decided to identify Hounsme Fields, through Local Plan Policy SS3.12, as their preferred location for meeting the majority of this

increased need. Gladman question whether this decision is fully justified and has fully appraised the ability to bring forward a higher level of housing in the authority's rural settlements.

- 10.1.7 To meet Basingstoke and Deane's full objectively assessed needs and ensure housing comes forward as expected we submit that the Local Plan should now be seeking to direct further housing to sustainable settlements such as Sherfield on Loddon that have the ability to accommodate further growth in the short to medium term. Rather than seeking to direct further housing to Basingstoke town, we submit that the Council should be actively looking to increase the level of homes elsewhere in the borough area, in suitable locations such as its rural communities. Gladman question whether as currently proposed the Local Plan fulfils the requirements of paragraph 55 of the Framework and the PPG on Rural Housing.

APPENDIX A

Evaluation of the Degree to which Potential Accidents with Off-site Radiological Consequences occurring at AWE Aldermaston are a Material Consideration in Defining the Overall Future Pattern of Development of Tadley

Mike Thorne Associates

MTA/P0207/2015-2: Issue 1

An Evaluation of the Degree to which Potential Accidents with Off-site Radiological Consequences occurring at AWE Aldermaston are a Material Consideration in Defining the Overall Future Pattern of Development of Tadley

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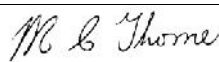
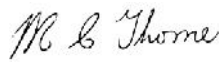
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1. Introduction

- 1.1 The Town of Tadley is located in Hampshire on the border with Berkshire. It lies immediately to the south of AWE Aldermaston. During the 1950s and 1960s, AWE Aldermaston became the area's largest employer and a large number of houses were built in Tadley to accommodate workers at the site. However, because Tadley is located entirely within the Detailed Emergency Planning Zone (DEPZ) for AWE Aldermaston, it is difficult to obtain planning permission for new residential developments in the town, with implications also for other non-residential, e.g. retail and amenity, developments. In this note, I argue that the individual and societal radiological risks to residents of Tadley, while real, are so small that they should not be regarded as a significant factor when considering whether residential developments should be permitted. Furthermore, I also argue that a reasonable programme of such developments, provided that it does not grossly increase the overall population of Tadley and provided that some other practical considerations (such as maintenance of ready access of the emergency services to the AWE Aldermaston site) are addressed, should not adversely affect the off-site emergency plan that has to be put in place for AWE Aldermaston. This plan has to be reviewed and updated every three years and it should be straightforward to adapt it to a structured programme of developments in Tadley, rather than regarding the current plan as a straightjacket that severely constrains the potential for giving planning permission for residential and other developments within the DEPZ.
- 1.2 In this Technical Note, I first describe the regulatory framework within which developments in the vicinity of nuclear licensed sites are permitted (Section 2). I then estimate individual and societal risks to residents of Tadley from the site and show them to be small (Section 3). This naturally leads on to a discussion of the off-site emergency plan and its role in mitigating these, already small, risks, as well as the extent to which that plan might be adversely affected by a less restrictive approach to the granting of planning permission for developments within the current DEPZ (Section 4). Detailed conclusions from this review, supportive of the overall views that I have expressed in this introduction, are provided in Section 5, and references cited in the review are listed in Section 6.

2. Regulatory Context

- 2.1 In broad terms, the two relevant considerations are those relating to controls on developments in the vicinity of nuclear licensed sites and those related to the development and maintenance of off-site emergency plans. Of course, these two considerations are interrelated, in that controls on development, imposed for whatever purpose, are a factor in determining the numbers and characteristics of individuals to whom the off-site emergency plan applies, while the requirements of the off-site emergency plan need to be taken into account as a material consideration when determining the acceptability of proposed developments. Nevertheless, historically these two topics have been handled somewhat differently, so it is convenient to present them separately.

2.1 Demographic Considerations

- 2.2 In the UK, controls on residential and other developments in the vicinity of nuclear installations have always been closely related to the policy position that has been adopted relating to the siting of those installations. Furthermore, the guidance on siting was largely developed in respect to nuclear power stations and has been applied by extension to control developments in the vicinity of other types of nuclear installation, such as AWE Aldermaston.
- 2.3 Relevant documents giving details of the development of policy on the siting of nuclear installations in the UK comprise Marley and Fry (1955), Farmer (1960), Charlesworth and Gronow (1967), Gronow (1969; 1978) and Tildsley (1985). However, the most recent government statement of that policy as it relates to developments in the vicinity of existing nuclear power stations is that given by Mr Michael Spicer, Secretary of State for Energy (Hansard, 1988) and reproduced by Highton and Senior (2008). This statement is given in full below.
- 2.4 ‘Mr Michael Spicer: ...Once a site has been accepted for a nuclear station, arrangements are made to ensure that residential and industrial developments are so controlled that the general characteristics of the site are preserved, and therefore local authorities consult the inspectorate with regard to any proposed development which might lead to an increase in population close to the site and on large developments further from the site. Limiting criteria based upon population distribution are used only for guidance and the inspectorate would not necessarily insist on rigid adherence to them. Other unquantifiable factors are also taken into account.
- 2.5 The limiting criteria are in the form of cumulative weighted populations out to various distances all around the site and in any 30 degree sector. To assess a site against the criteria at a certain distance, the population for a given band distance is multiplied by the appropriate weighting factor and the values up to the distance being evaluated are added together.’
- 2.6 It is important to note that this statement is primarily a description of the then current practice by the Nuclear Installations Inspectorate rather than a direction to the Inspectorate.
- 2.7 Subsequently, the quantitative approach used to assess the significance of changes in population in the vicinity of a nuclear installation has been set out in detail by Highton and Senior (2008) and Highton (2008). However, it is important to emphasise that the Office for Nuclear Regulation (ONR) no longer adopts this quantitative approach to evaluating the significance of individual developments and would not conduct a demographic analysis for individual planning cases. Instead, ONR has advised that ‘After receiving a request for consultation on a planning application, where the proposed development lies within a consultation zone around a nuclear licensed site, ONR would consider the following questions: a) Does the proposed development represent an external hazard to a nuclear installation; and b) Could the proposed development be accommodated within the Local Authority off-site emergency planning arrangements.’ (Randles, 2014).

- 2.8 If ONR had significant health and safety concerns on either count then it would advise against the development. However, if ONR was satisfied that the proposed development could be accommodated within the Local Authority off-site emergency planning arrangements and that it posed no external hazard to the installation, then ONR would have no grounds to advise against (Randles, 2014).

2.2 Off-site Emergency Planning

- 2.9 The development and implementation of an off-site emergency plan is a requirement under the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (REPPiR). REPPiR requires nuclear operators and local authorities to make and implement arrangements to ensure that the members of the public are properly informed and prepared in advance about what to do in the unlikely event of a radiation emergency occurring and provided with information if an emergency actually occurs. In respect of AWE Aldermaston, West Berkshire Council has the duty under REPPiR to prepare, revise, test and implement an off-site emergency plan (the on-site plan being the responsibility of AWE Aldermaston). The off-site plan is required to bring together the emergency arrangements of all the off-site agencies with a role to play in the intervention and mitigation of an emergency occurring at AWE Aldermaston, and to prepare arrangements to supply information to members of the public in the event of a radiation emergency actually occurring.
- 2.10 Currently the emergency arrangements required under REPPiR are based on (a) reference accidents and (b) the principle of extendibility. The reference accident helps define a Detailed Emergency Planning Zone (DEPZ), identified by the operator within which arrangements to protect the public by introducing countermeasures are planned in detail. For practical reasons the DEPZ can extend further to avoid, for example, splitting streets in half if one part of a street is inside the DEPZ while the other part is outside. The DEPZ corresponds to a zone in which the effective dose to an individual from the reference accident could exceed 5 mSv. In the case of AWE Aldermaston, calculations show that, on this basis, the DEPZ should have a radius of about 2 km (see Section 3 for details). However, for historical reasons and for the convenience of including all of Tadley within the DEPZ, the radius of the DEPZ is cautiously set to 3 km (see further the discussion in Section 3).
- 2.11 The reference accident is the worst reasonably foreseeable accident with radiological consequences against which it is considered reasonable to prepare detailed emergency plans. For emergency planning purposes the reference accident assumes that, during a release, a pathway occurs that allows radioactive material to escape uncontrolled into the environment.
- 2.12 Extendibility means that emergency plans need to be capable of responding to accidents, which, although extremely unlikely, could have significant radiological consequences beyond the boundaries of the DEPZ. The measures that are required to extend the detailed arrangements cannot be precisely planned because the nature and potential of accidents can vary. The exact response would be based on an assessment made at the time. The response may make use of local and national plans prepared to deal with a wide range of emergencies.

- 2.13 The current off-site emergency plan for AWE Aldermaston is set out in West Berkshire Council (2011). This plan was applicable through to November 2014 and discussions are ongoing as to its revision (Richardson, 2015a). However, the following description and discussion is based on the 2011 version of the plan. The associated REPPiR leaflet was last printed in 2013 (West Berkshire Council and AWE, 2013) and will be updated in accord with the revised off-site emergency plan, if this proves to be necessary (Richardson, 2015b).
- 2.14 Although West Berkshire Council is the Local Authority (LA) with overall responsibility for the development of the off-site emergency plan, it consults with a substantial number of other bodies who would have key roles in the implementation of the plan in the event of an accident with off-site radiological consequences. In particular, the most recent plan (West Berkshire Council, 2011) was prepared by the Off Site Plan Working Group, chaired by West Berkshire Council and consisting of Emergency Planning Officers and professionals drawn from the other organisations that are also copy holders of the plan. These include Basingstoke and Deane Borough Council.
- 2.15 In the event of an incident at AWE Aldermaston requiring implementation of the plan, co-ordination of the response would be the responsibility of Thames Valley Police in the first instance. However, they would transfer responsibility to other organisations in the later (recovery) stages of the incident.

3. Potential Accidents at AWE Aldermaston with Off-site Radiological Consequences

3.1 Types of Potential Accidents

- 3.1 Potential accidents at the AWE Aldermaston site are discussed in the AWE Aldermaston Hazard Identification and Risk Evaluation (HIRE) together with the associated Report of Assessment (RoA) (AWE, 2011a; 2011b; see also AWE, 2012). In turn, these reports are reviewed by the Health & Safety Executive, Office for Nuclear Regulation (HSE, 2012). More recent data on potential accidents on the AWE Aldermaston Site are given in the REPPiR Report of Assessment for the AWE Aldermaston Site of November 2014 (AWE, 2014).
- 3.2 The HSE review (HSE, 2012) states that there are many facilities at the two AWE sites (Aldermaston and Burghfield) that handle a range of radioactive, explosive and chemical materials, which pose varying degrees of risk. The radioactive materials held and used at the premises include plutonium, uranium and tritium (see also AWE, 2014, Section 6 and Annex 1 of West Berkshire Council, 2011). These materials are held in sufficient quantities that the requirements of the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (REPPiR) apply and make a HIRE assessment required. There are other sources of radioactivity on the site. These are substantially less significant than those present in the main materials and are used for safety checks and normal industrial purposes (e.g. sources for radiography and in level gauges). These are well controlled, pose no threat to the public, and have no potential

to give rise to a radiation emergency (AWE, 2012, paragraph 6.7 and AWE, 2014, paragraph 6.7).

- 3.3 It should also be noted that the off-site emergency plan (West Berkshire Council, 2011, paragraph 2.5.2) states that:
- a. An explosion resulting in a nuclear yield is not possible by virtue of the safety features in the design of the weapon;
 - b. A reactor accident with off-site consequences is also not possible, as the site does not have an operating nuclear reactor with a significant core inventory of fission products;
 - c. The 'Herald' nuclear reactor at AWE Aldermaston was closed in the 1980s and its nuclear fuel removed from the site.
- 3.4 Operations at AWE are undertaken on a batch production basis, almost wholly during standard daytime working hours, with nuclear production materials stored securely overnight within the nuclear facilities. The AWE sites do not have a nuclear power plant (see above), nor do they hold stored nuclear fuel requiring decay heat removal. There are no bulk quantities of highly active liquors, irradiated reactor fuel or large quantities of high-level waste stored on either of the two sites (HSE, 2012). As HSE (2012) states, these considerations restrict the possibility of, and potential dose consequences arising from, a reasonably foreseeable radiation emergency at either site.
- 3.5 More specifically, AWE (2012, paragraphs 9.2 and 9.3 and 2014, paragraphs 9.2 and 9.3) provides a concise statement of the types of accidents that could give rise to significant off-site radiological impacts. That statement in AWE (2014) is reproduced in full below.
- 3.6 'The majority of identified potential faults will not result in any release of particulate radioactivity to the open environment, by virtue of the prevention, mitigation and protection provisions installed and maintained in each facility. For a significant release of radioactivity from a nuclear facility to be possible it is necessary for an initiating event to propagate and overcome all the barriers between the hazardous radioactive materials present inside the facility and the outside environment, or for these all to fail at the time of demand. These barriers have been designed to accommodate the form of the material itself, any cladding and all the containments. The physical boundary of the facility forms part of the containment system as well. Given that all of these barriers are breached, then some radioactivity could be transported out of the facility and be dispersed into the atmosphere. For many postulated accident scenarios this would be through a designed and authorised discharge point, so mitigation by appropriate filters would minimise the particulate release.
- 3.7 The most likely scenario in a facility which could have the potential to affect areas beyond the AWE, Aldermaston site boundary is a major fire. Such a fire might be caused by a seismic event or other significant insult to a facility or group of facilities. Only a major fire or fires (initiated as a result of a significant seismic event) engulfing a whole building or entire compartments within a building where significant quantities of radioactive material were present would have the potential to cause a radiological hazard to the public outside the site. The nature of fire accidents falls within the concept of accidents currently considered to be "reasonably foreseeable".'

- 3.8 Paragraph 9.4 of AWE (2014) adds that ‘It is not reasonably foreseeable that the consequences of potential unauthorised behaviour of employees or the public would extend beyond the consequences of the accident scenarios assessed by AWE under regulation 4 of REPPiR.’
- 3.9 With respect to the pathways of significance in respect of such accidents, the HSE (2012) comments that AWE has concluded that direct inhalation of contaminants within a radiation plume is the dominant contribution. Other pathways, including ingestion and exposure by absorption through the skin, are generally considered negligible by comparison.

3.2 Frequencies of Potential Accidents

- 3.10 For its 2011 REPPiR submission, AWE Aldermaston adopted a reference accident approach to bounding the area that may be affected by a reasonably foreseeable radiation emergency. In this context, AWE adopted a definition of ‘reasonably foreseeable’ to include all fault sequences for which the associated dose has a return frequency of at least one in one hundred thousand per annum (HSE, 2012). AWE also examined fault sequences with a frequency of as low as one in a million per annum to establish whether there would be any stepped increases in dose consequences with the inclusion of these less frequent events. Within its HIRE, AWE also considered some even less frequent fault sequences with off-site consequences, but considered that these are not reasonably foreseeable for the purposes of detailed planning of the emergency response. However, such fault sequences are taken into account when considering the extendibility of the emergency plans.
- 3.11 In general, the frequency of accidents decreases as their severity increases. Therefore, the reference accident can be taken as exhibiting a frequency of around one in ten thousand per annum (the maximum return frequency for initiating seismic events, see Section 3.3) to one in one hundred thousand per annum.

3.3 Radiological Consequences of Potential Accidents

- 3.12 AWE categorises individual facilities according to the radiological hazard with which they are associated. Category 5 is defined as ‘facilities or operations which are capable of yielding a significant off-site hazard at a level at which countermeasures (such as sheltering or evacuation) would be required...’. The term ‘significant off-site hazard’ is defined in the RoA (AWE, 2011b) as ‘an off-site whole body effective dose ≥ 5 mSv at the nearest site boundary’ (HSE, 2012).
- 3.13 More broadly, the Off-site Emergency Plan for AWE Aldermaston (West Berkshire Council, 2011, paragraph 2.6.4) states that accidents at the site should not exceed Level 5 on the International Nuclear Event Scale (INES) (see <http://www-ns.iaea.org/tech-areas/emergency/ines.asp>). Thus, it is determined that serious (Level 6) and major (Level 7) accidents (as can occur at nuclear power stations) cannot occur at AWE Aldermaston. Both the Chernobyl and Fukushima accidents have been classified as Level 7 events.
- 3.14 For each individual facility, the approach adopted in the HIRE is to initially assess the associated fault sequences to establish whether their off-site dose consequences are

above the 5 mSv threshold. They are then screened by frequency to establish whether the events are reasonably foreseeable (i.e. have a probability of occurrence of more than one in one hundred thousand per annum). The reference accident for each facility corresponds to the reasonably foreseeable fault sequence that leads to the largest off-site dose consequence (HSE, 2012).

- 3.15 Four facilities on the AWE Aldermaston site were assessed as having the potential to result in off-site doses of more than 5 mSv and a bounding 5 mSv circular dose contour, centred on the facility concerned, was established based on the reference accident for that facility. The largest such dose contour had a radius of 1,035 m and the next largest had a radius of 950 m. The 5 mSv dose contours for the other two facilities were considerably smaller (HSE, 2012).
- 3.16 In order to account for common cause effects from extreme external events, the HIRE also presents an analysis that combines dose estimates from individual facilities. This relates to reasonably foreseeable fault sequences initiated by a seismic event (based on a return frequency of less than one in ten thousand years), which leads to radionuclide releases from two facilities, due to the common cause. For each pair of facilities, the most adverse wind direction was assumed and the dose contour was conservatively increased to account for the distance between the facilities and the nominal centre of the site. This gave an overall bounding 5 mSv off-site circular dose contour at 2,125 m from the AWE Aldermaston centre location (HSE, 2012), i.e. substantially less than the 3 km radius of the DEPZ (note that this value for the radius has been in use for a substantial period and is not based on the reasonably foreseeable accidents currently envisaged in assessments by AWE Aldermaston and accepted as appropriate by the ONR). More recently, AWE (2014) reports that '[t]he bounding reference accident for the AWE Aldermaston Site is a seismic event leading to consequential fires causing simultaneous loss of containment in multiple facilities with an unfavourable wind direction that would cause cumulative doses from two separate facilities' (AWE, 2014, paragraph 15.2). For such an accident '[t]he maximum foreseeable radiation dose that could potentially be received by a member of the public at the site boundary has been assessed by AWE as 16.9 milliSieverts [mSv].' (AWE, 2014, paragraph 15.3). Furthermore, 'AWE's assessments have concluded that the area in which a member of the public might potentially receive a radiation dose of up to 5 milliSieverts [mSv] as a result of a reasonably foreseeable radiation emergency at AWE Aldermaston is bounded by a distance of 1.925 kilometres from the centre of the existing DEPZ for the Aldermaston Site (National Grid Reference SU 595 635). These dose assessments include contributions from plume inhalation, and the inhalation of re-suspended radioactive material over the year following the release. Contributions from irradiation from the passing plume or from deposited material have been assessed as negligible and are not included in this assessment.' (AWE, 2014, paragraph 14.2). Note that the 5 mSv dose contour has decreased slightly from 2125 m to 1925 m in the 2014 assessment and that the centre of this circular dose contour is now assigned a precise geographical location.
- 3.17 AWE also considered the dose consequences from a number of severe infrequent fault sequences involving extreme external events that were not considered to be reasonably foreseeable. These led to a range of 5 mSv dose contours both within and beyond the current Detailed Emergency Planning Zone (DEPZ) which is circular with a cautiously defined radius of 3 km, with its origin at the site centre. On the basis of the 2011 HIRE

(AWE, 2011a; 2011b), the HSE (2012) recommended that the ONR Emergency Arrangements Team should advise the Local Authority to adopt a circular DEPZ with a minimum radius of 2.125 km, with its origin at the site centre. However, subsequently, ONR discussed in detail with West Berkshire Council the consideration that a circular area of 2.125 km radius from the centre of the site would present a situation in which the technical basis for the DEPZ would cut through Tadley. This would present a significant issue in terms of delivery of the REPIIR emergency plan. Therefore, in terms of emergency planning and to ensure the protection of public and society in the event of radiation emergency, ONR considers it to be appropriate to set the DEPZ for AWE Aldermaston nuclear licensed site as a circular area of a distance of 3 km from the centre of the site (ONR, 2013), i.e. the value currently adopted in the off-site emergency plan (West Berkshire Council, 2011). However, the size of the DEPZ is a matter that is currently being reviewed in the context of updating the off-site emergency plan (Richardson, 2015a).

- 3.18 In interpreting this information relating to the 5 mSv dose contours, it is relevant to note the dose decreases according to a power law, $E = A/x^n$, where E (mSv) is the effective dose, A is a coefficient that depends upon the characteristics of the release, x (m) is the downwind distance and n is a coefficient that typically has a value of approximately 1.5 (Highton, 2008; Highton and Senior, 2008). Thus, for example, if the 5 mSv dose contour is at 1,000 m from the source, the 2.5 mSv dose contour will be at a distance x (m) given by $x = 1,000 \times (5.0/2.5)^{1/n}$. For $n = 1.5$, this gives the 2.5 mSv contour at 1,590 m. More generally, the fall-off in dose with distance is as shown in Figure 3.1, normalised to 5 mSv at a distance of 1,000 m.

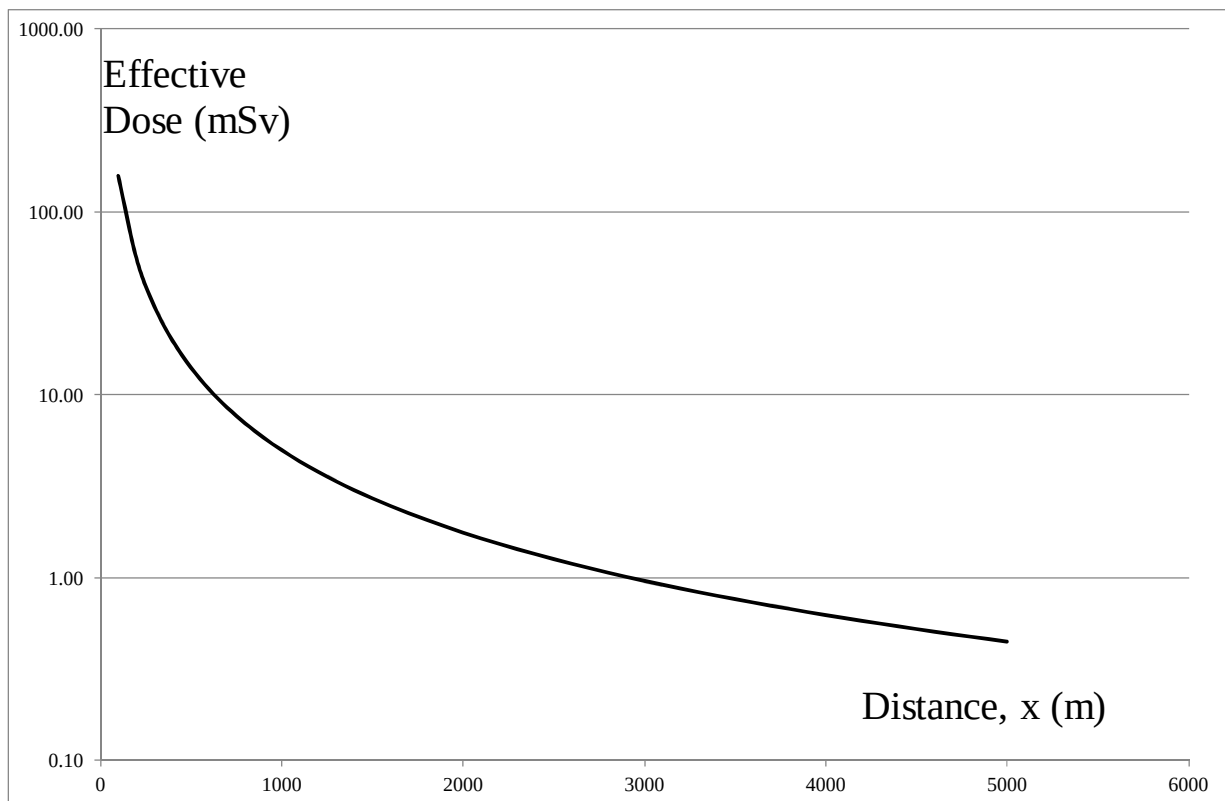


Figure 3.1: Variation of Effective Dose with Distance Downwind

- 3.19 Typically, the southern boundary of the AWE Aldermaston site, which is its distance of closest approach to Tadley is about 800 to 1,000 m from the centre of the DEPZ. Along this boundary, the effective dose from a reference accident is assessed as 16.9 mSv. The Town of Tadley lies mainly between this distance and the boundary of the DEPZ at 3,000 m from its centre. Applying the $1/x^n$ relationship described above, this results in an effective dose of about 4 to 6 mSv at 2,000 m from the centre of the DEPZ and about 2 to 3 mSv at 3,000 m. These results are in line with the recommendation described in paragraph 3.17, that the DEPZ should have a radius of 2,125 m, bearing in mind that the distance to the 5 mSv contour has recently been reduced from 2,125 m to 1,925 m (see paragraph 3.16).
- 3.20 For severe infrequent fault sequences (with a probability of occurrence extending to below one in one million per year), the 5 mSv dose contours were both within and beyond the current DEPZ with a radius of 3,000 m. Taking the 5 mSv contour typically to be at 3,000 m, worst case accidents, occurring with an annual probability of no more than about one tenth of that of the bounding reference accident, would typically result in a radiological impact no more than about a factor of two larger.
- 3.21 As the report on the Public Inquiry relating to the Boundary Hall development emphasised (Ware, 2011, paragraph 289), doses of this magnitude would only be received if the wind was blowing towards Tadley at the time of release. Furthermore, sheltering (which is the recommended emergency response, as discussed in Section 4) would substantially mitigate these doses and staying indoors, with the doors and windows closed, has been assessed to remove almost all the risk (Ware, 2011, paragraph 291). Similarly, AWE (2012, paragraph 15.5) comments that, in the event of a major release of radioactive material from the site, the dose to the public would be reduced by the imposition of appropriate countermeasures that could include the issue of instructions to the public to shelter (which reduces cloud inhalation and irradiation doses) and subsequently to evacuate (which prevents further exposure from resuspension of deposited material by moving the public from the affected area to facilitate recovery and remediation, as appropriate).

3.4 Comparison of Risks from Potential Accidents with those of Everyday Life

- 3.22 Based on the analysis presented in Section 3.3, it is determined that bounding reference accidents giving an effective dose of 2 to 17 mSv to residents of Tadley located 800 m to 3,000 m from the centre of the AWE Aldermaston site could occur with a probability ranging from one in ten thousand (1×10^{-4}) per year down to one in one hundred thousand per year (1×10^{-5}) per year. Here, the convenient notation is used that 10^n means $10 \times 10 \dots \times 10$, where n is the number of factors of ten. Similarly, 10^{-n} means $1/(10 \times 10 \dots \times 10)$.
- 3.23 For more extreme accidents, effective doses could range up to about a factor of two larger than for the bounding reference accident, but the likely frequency of such accidents would be no more than 1×10^{-5} per year and could be as low as 1×10^{-6} per year.
- 3.24 These effective doses are relatively low and are within the range that the linear dose response with no threshold (LNT) model generally applied in radiological protection (ICRP, 2007). That model assigns detriment-adjusted risk coefficients of 5.5×10^{-5} per mSv for cancer and 2.0×10^{-6} per mSv for heritable effects in the whole population

(including infants, children and adults). Thus, the overall risk is 5.7×10^{-5} per mSv, which may be thought of as equivalent to the risk of death arising from the irradiation. Thus, for a bounding reference accident giving rise to an effective dose of 2 to 17 mSv, the risk conditional on that accident occurring is in the range 1.1×10^{-4} to 1.0×10^{-3} , i.e. between about one in nine thousand and one in one thousand. Furthermore, as the annual probability of such an accident occurring is less than one in ten thousand, the annual risk of death from accidents up to and including the bounding reference accident in size is no more than about one in ten million (accidents substantially smaller than the bounding reference accident would not have significant off-site consequences).

- 3.25 For accidents, larger than the bounding reference accident, the effective dose could be doubled, corresponding to a conditional risk of between 2.3×10^{-4} and 1.9×10^{-3} . However, the annual probability of such an accident is no more than about one in one hundred thousand, so the annual risk of death is no more than one in fifty million.
- 3.26 The above risks make no allowance for the probability that the wind is blowing towards Tadley or of mitigation of the effective dose through sheltering.
- 3.27 Thus, overall, the annual probability of death for an individual living in Tadley due to an accident at AWE Aldermaston with significant off-site radiological consequences is assessed as less than one in ten million, and could be substantially less if the probability that the wind is blowing towards Tadley and mitigation of the effective dose through sheltering were taken into account.
- 3.28 For comparison, the HSE in its report Reducing Risks, Protecting People (HSE, 2001) has given annual risks of death from various causes. These include 1 in 16,800 from all forms of road accident, 1 in 29,000 from lung cancer caused by the radioactive gas radon in dwellings, 1 in 510,000 from a gas incident (fire, explosion or carbon monoxide poisoning) and 1 in 18,700,000 from lightning. From this comparison, it is clear that the annual probability of death for an individual living in Tadley due to an accident at AWE Aldermaston is likely to be similar to or less than the annual probability of being killed by being struck by lightning.
- 3.29 It is also relevant to note that, when assessing the significance of individual risks the HSE (2001) comments that it 'believes that an individual risk of death of one in a million per annum for both workers and the public corresponds to a very low level of risk and should be used as a guideline for the boundary between the broadly acceptable and tolerable regions. As is very apparent from Tables 1-4 at Appendix 4 [of HSE, 2001], we live in an environment of appreciable risks of various kinds which contribute to a background level of risk – typically a risk of death of one in a hundred per year averaged over a lifetime. A residual risk of one in a million per year is extremely small when compared to this background level of risk. Indeed many activities which people are prepared to accept in their daily lives for the benefits they bring, for example, using gas and electricity, or engaging in air travel, entail or exceed such levels of residual risk.'
- 3.30 Thus, the annual probability of death for an individual living in Tadley due to an accident at AWE Aldermaston is at least an order of magnitude below the boundary of the tolerable region, i.e. it is well within the region where the risk would be judged broadly acceptable. This conforms with the judgement of the Secretary of State in

respect to the Boundary Hall development close to the southern boundary of the AWE Aldermaston site. In paragraphs 21 to 23 of his judgement, he concludes as set out below.

- 3.31 '21. [The] Secretary of State agrees ... that, with the exception of those general LP policies dealing with pollution and environmental well-being, the application accords with the development plan including the site being identified in a saved LP policy for the type of development currently proposed (IR395). Furthermore, the site is in a sustainable location, the proposal would make good use of the land in both visual and sustainability terms and would provide planning benefits (IR396) including the provision of affordable housing and the replacement of community facilities...'
- 3.32 '22. Against these benefits, the Secretary of State agrees with the Inspector (IR398) that the sole objection relates to the potential effect on human health of a materially harmful radiation dose. However, while he does not seek to minimise the potential impact of any individual dose, the Secretary of State considers that this should be placed in the context of the probability of such a dose arising which, while unquantified, has been described as 'extremely remote' ... Added to this, he has taken account of the fact that there is no evidence that the Off Site Plan for dealing with such emergencies would fail; and he is satisfied that the intensification of population density is not, in itself, a reason to refuse planning permission.
- 3.33 '23. The Secretary of State considers that these factors temper the weight to be attached to the risk of a materially harmful radiation dose relative to the benefits of the proposed scheme. No activity can ever be regarded as being risk free, each case has to be considered on its own merits, and the Secretary of State concludes that the potential benefits of this scheme, coupled with the fact that is generally in accordance with the development plan, outweigh the real, but very small, risks attached.'
- 3.34 Subsequent to the judgement by the Secretary of State, the probabilities of accidents with off-site radiological consequences occurring and the effective doses associated with such accidents have become better quantified than was the case at the time of the Boundary Hall Inquiry, so any concern as to the unquantified probability of the doses arising has been significantly mitigated.
- 3.35 Notwithstanding the low annual risks incurred by residents of Tadley due to accidents at AWE Aldermaston, it is of interest to set the assessed effective doses in context. These effective doses are from 2 to 17 mSv for the bounding reference accident and up to about double this for a worst-case accident. As the average annual effective dose in the UK, mainly from naturally occurring radioactivity, is around 2.7 mSv, the effective dose from the bounding reference accident corresponds to no more than a few years of normal exposure. Comparisons can also be made with medical exposures. For example, a Computed Tomography (CT) scan of the chest typically delivers 6.6 mSv and a whole-body CT scan typically delivers 10 mSv. There are also considerable regional variations in natural background, with the average annual radon dose to the people of Cornwall being 7.8 mSv, compared with a UK-wide average value of 1.3 mSv (<http://www.hpa.org.uk/Topics/Radiation/UnderstandingRadiation/>, downloaded 10 February 2014).

- 3.36 Thus, the radiological impact of the bounding reference accident, if it was to occur, on a resident of Tadley would be:
- similar to the radiological impact due to exposure to background radiation for a few years in a typical location in the UK;
 - similar to the regional variations in the annual exposure to natural background in the UK;
 - similar to the exposure incurred as a result of a single medical CT examination.
- 3.37 This is not to argue that such exposures are of no importance. Indeed substantial efforts are being made to reduce high regional exposures to radon and the use of CT scanning in medicine is subject to a requirement for justification and optimisation on a case-by-case basis. However, it does show that the radiation doses that would be likely to arise if a major accident occurred at the AWE Aldermaston site are within the range commonly experienced by members of the public in the course of their everyday life.
- 3.38 However, as well as considering individual risk, it is appropriate to consider the overall health impact of a major accident at AWE Aldermaston. At the present time, the overall population of Tadley is about 14,000 (rounded sum of values for the Baughurst and Tadley North, Tadley Central and Tadley South Wards at the 2011 census, taken from <http://www.basingstoke.gov.uk/>, accessed 17 July 2015). If an accident of the size of the bounding reference accident were to occur and the wind was blowing towards Tadley, a substantial fraction of this population would receive effective doses in the range 2 to 17 mSv. Not all of the population of 14,000 would receive a significant dose, as the plume would not spread sufficiently laterally to encompass all of these three wards. To illustrate the potential overall health impact of such an accident in the absence of sheltering, it is reasonable to assume that about 7,000 people might receive an average effective dose of about 10 mSv, corresponding to a risk of death of around 5.7×10^{-4} . Thus, in the absence of sheltering, about four deaths would be projected to occur as a result of such an accident. These would arise over several decades and would not be detectable against the general mortality of the population over that period. Nevertheless, this number of projected deaths emphasises why it is important to have an appropriate off-site emergency plan in place.

4. Requirements on the Off-site Emergency Plan

- 4.1 As demonstrated in Section 3, there is a remote possibility (with a probability of one in ten thousand per year or less) that a major accident could occur at AWE Aldermaston that would result in a few (about four) deaths of residents of Tadley spread over several decades following the accident, but only if no efforts were made to mitigate the effects of the accident. In practice, sheltering indoors with the doors and windows shut for the duration of the period of release of radioactivity from the AWE Aldermaston site would almost entirely eliminate the risk. This is because the main radiological risk from such an accident arises from the inhalation of aerosol particles incorporating plutonium or enriched uranium. On a timescale of a few hours, sheltering, with control of the building ventilation, will maintain indoor radioactive aerosol concentrations at much lower values than those existing outdoors. However, when the radioactive plume has dispersed, which will occur within about an hour of the cessation of the release, it will be appropriate to restore free ventilation between the indoor and outdoor environments, to ensure that any small amount of radioactive aerosol that has penetrated the building

envelope exchanges with, and is diluted in, outdoor air. In the longer-term, there will be some exposure from aerosol particles that have been deposited on surfaces, but this will generally be of limited radiological significance compared with the radiological impact of direct inhalation from the dispersing plume, unless mitigated by sheltering.

- 4.2 Because of the above considerations, the off-site emergency plan lays considerable emphasis on warning and informing the potentially exposed population within the DEPZ, and advising them to shelter. Specifically, residents within the DEPZ are in receipt of a REPPiR leaflet. This leaflet is updated by AWE (in consultation with the partner agencies) on a three yearly basis. The most recent issue was published in 2013 (West Berkshire Council and AWE, 2013) and an update is scheduled for 2016 (see Richardson, 2015b). It contains details of the hazards that may give rise to an incident and what to do should an incident occur.
- 4.3 When an incident had caused, or might cause, an off-site emergency, the following warning and informing actions would take place (West Berkshire Council, 2011, Annex 12).
- a. AWE would initiate the automatic telephone alerting system to households around the site. By this method, members of the public would be advised to go inside and stay inside the nearest suitable building and to tune into the radio and television to hear public service broadcasts.
 - b. Information and warnings about the emergency would be broadcast on TV, local and national radio and the Internet, as appropriate. West Berkshire Council has a dedicated webpage ready to be activated should there be an incident.
 - c. Other activities, such as loud hailers may be employed to ensure messages are going out. The emergency plan states that all means necessary will be employed to get the messages across.
- 4.4 Specifically, the current issue of the REPPiR leaflet states the following.
'If there were a radiation emergency that could affect the public, you may be advised to take shelter indoors until checks were made to ensure it is safe. You would be alerted either by:
- Telephone - The telephone alerting system would phone you with a pre-recorded message advising you what action to take. (It should be noted that this system only works with standard 'landline' telephones and not with mobile phones)
 - Via the media – You may hear an alert on the local radio or TV'
- 4.5 Self-evacuation is strongly advised against in the REPPiR leaflet. This point is also emphasised in the off-site emergency plan, where the following statement is made (West Berkshire Council, 2011, Section 5.5).

'The possibility of self-evacuation by members of the public at any time cannot be ignored. The impact of which may cause disruption to the response and may make the situation worse should radioactive particles be resuspended. Case studies show that there is greater risk of accidents during such self-evacuation than a situation of shelter and controlled evacuation if needed.

Public Information and local control will be needed to reduce the risk of this taking place.'

4.6 Persons attempting to return to the sheltering area from outside during this initial phase of the accident would be sent by the police to reception/rest centres where they would be looked after, and get help and information (REPPiR leaflet, page 10).

4.7 In the longer-term, countermeasures other than sheltering might be initiated. These are set out in Section 5.2 of the off-site emergency plan (West Berkshire Council, 2011) and their key aspects are summarised in Table 4.1, below.

Countermeasure	Description	Potential scenarios/areas for which this countermeasure may be implemented	Process
Sheltering	Going and staying inside buildings or other structures with doors and windows closed	Automatic countermeasure in downwind sectors of the DEPZ; exceptionally may be extended across a wider area.	Automated telephone alerting system plus other measures, as described in the text.
Immediate evacuation	Evacuation of people without any delay to remove them from an immediate threat to their safety	Potentially required in non-radiological scenarios, but not for radiological scenarios (where immediate self-evacuation is advised against).	Not implemented.
Priority evacuation	Evacuation of priority groups (e.g. vulnerable people), which may require extra resource and logistical planning	May be required in the hours and days following declaration of a radiation emergency in downwind sectors of the DEPZ following an initial period of sheltering.	The Local Authorities, Health and other agencies will identify vulnerable people in the area affected. Contact will be made with the clients or carers and, thereafter, the necessary support will be arranged. This may be in the form of extracting the vulnerable to suitable locations or providing help in their own homes.
Non-urgent evacuation	Evacuation of other members of the public who do not require special resources or support to evacuate.	May be required in the days following declaration of a radiation emergency in downwind sectors of the DEPZ following an initial period of sheltering.	
Subsequent evacuation	Displacement of members of the public from their homes and businesses to facilitate longer-term recovery and remediation of affected areas	May be required in the days and weeks following a radiation emergency where areas are found to have been contaminated with radioactive or other hazardous materials.	May be necessary if people take cover in buildings such as factories, offices and other work places. These sheltering areas may not be suitable in terms of providing support for the people there for any length of time due to lack of facilities, food and bedding. This will need to be considered at an early stage depending on the zones affected. Other subsequent evacuation of the public from their homes may be necessary to facilitate recovery. The process for subsequent evacuation will be communicated via the media to those affected.
Restrictions on food and water consumption	Early advice not to eat certain foodstuffs or to drink water from boreholes in a potentially contaminated area to minimise the uptake of radioactive materials in a radiation emergency	May be implemented on a precautionary basis in the early phase of the response to a radiation emergency. Intervention levels for implementing this countermeasure are flexible and would be scenario-dependent.	
Restrictions on food production	Advice or specific restrictions on food producers not to produce food sourced from a potentially contaminated area to minimise the potential uptake of radioactive materials following a radiation emergency	May be required following a radiation emergency where areas are found to have been contaminated with radioactive or other hazardous materials. Intervention levels for implementing this countermeasure are flexible and would be scenario-dependent.	Trading Standards, Animal Health and the Food Standards Agency would review the actions and advice required.
Restrictions to transport movements	Restricting road, rail and other transport movements in and around the area allows emergency vehicles access and reduces the risk of resuspension of radioactive particles	May be required to facilitate response and recovery.	Any decision to close footpaths should be referred to the Councils' Rights of Way teams in order for them to identify what paths can be closed. Road closures would be handled by the Police, supported by Local Authorities and the Highways Agency.

Table 4.1: Countermeasure Options

- 4.8 In considering the impacts of proposed developments within the DEPZ on the off-site emergency plan, it needs to be kept in mind that all the provisions described above are already applied to the total population of Tadley (around 14,000 persons), which is considerably more than it would have applied to if the radius of the DEPZ had been set to a realistic value of 2.125 km or 1.925 km rather than the historical value of 3.0 km that has been adopted.
- 4.9 A key consideration that could influence the off-site emergency plan is whether the population of Tadley might increase substantially in the future if a more relaxed attitude was taken to permitting developments within the DEPZ. However, even with less restrictive planning requirements, there is limited space within the DEPZ for additional developments. Beyond the DEPZ, the greatest growth in recent years has been in the Chineham Ward (7,005 in the 2001 census and 9,240 in the 2011 census) and in the Bramley and Sherfield Ward (4,940 in the 2001 census and 5,875 in the 2011 census, <http://www.basingstoke.gov.uk/>). Based on these figures, it is plausible to suggest that the population of Tadley within the DEPZ, as currently defined, might increase by no more than about 3,000, or about 20%. If the radius of the DEPZ was reduced to a realistic value of 2.125 or 1.925 km, then the population within the DEPZ would be expected to decrease rather than increase, even with less restrictive planning requirements.
- 4.10 If the population within the DEPZ was to increase somewhat, the main requirement placed on the off-site emergency plan would be to warn and inform this additional number of people. As to sheltering, it seems likely that new housing stock would have better control on ventilation and be more suitable for sheltering than some of the existing stock, so the gradual replacement of existing stock with new stock would tend to facilitate implementation of the off-site emergency plan, particularly if each proposed development was required to demonstrate that consideration in design had been given to key issues in off-site emergency planning (warning and informing; short-term and longer-term sheltering; urgent evacuation needs; impacts on the vulnerable; access and egress for emergency vehicles and those in the community).
- 4.11 In particular, individual developments and the pattern of development as a whole would need to ensure that the access for emergency services to the AWE Aldermaston site was not impaired. Indeed, in some contexts, such developments could contribute to improving access.
- 4.12 It is perhaps worth emphasising that the potential magnitude of accidents at AWE Aldermaston is such that there is not a requirement for the off-site emergency plan to be completely effective. If some individuals were to fail to shelter, the risks that they would be subject to in consequence would be comparable to those arising from exposure to natural background for a few years or from a single CT scan. The situation is different from that arising in some conventional accidents, e.g. gasholder explosions, where failure to evacuate the immediate area and/or shelter could result in an individual almost certainly suffering serious injury or death. It is also different from that arising around commercial nuclear power stations, where potential exposures to much higher radiation doses might lead to a requirement for immediate evacuation.
- 4.13 Thus whereas less-restricting planning control within the DEPZ might require some detailed changes to the off-site emergency plan, there is no reason to suppose that

substantial qualitative changes would be required. Furthermore, with structured planning of developments and an existing requirement to update the off-site emergency plan every three years, it should be straightforward to ensure that minor alterations to the plan are integrated with the implementation of approved developments.

- 4.14 Finally, it is noted that the scale of developments that could occur in Tadley would not change the overall nature of the town. Thus, the general policy requirement ‘that residential and industrial developments are so controlled that the general characteristics of the [nuclear licensed] site are preserved’ (paragraph 2.4) should be readily satisfied.

5. Conclusions

- 5.1 In the past, the location of Tadley within the DEPZ of AWE Aldermaston has placed significant constraints on its development. However, the limited size of accidents with off-site radiological consequences that could occur at AWE Aldermaston (no more than Level 5 on the INES scale, see paragraph 3.13) means that effective doses to residents of Tadley from a bounding reference accident would be relatively low, i.e. in the range 2 to 17 mSv, even if they did not shelter, as they are advised to do under the off-site emergency plan. For worst case accidents, effective doses could be about a factor of two larger, but the frequency of such accidents would be about a factor of ten lower than for bounding reference accidents. These effective doses are similar in magnitude to those arising from natural background radiation or from a single CT scan (paragraph 3.36). This is not to argue that they are of no importance, but they are within the range commonly experienced by members of the public in the course of their everyday life (paragraph 3.37).
- 5.2 Furthermore, the frequencies of such accidents are low (below one in ten thousand per year for bounding reference accidents and below one in one hundred thousand per year for worst case accidents). This means that the annual risk of death from accidents up to and including the bounding reference accident in size is no more than about one in ten million. For larger accidents, the risk of death is no more than one in fifty million (paragraphs 3.24 and 3.25). These risks are those that would arise in the absence of sheltering, which would substantially mitigate the risks. Even without sheltering, the risks are similar to, or less than, those of being killed by being struck by lightning and are more than a factor of ten below the boundary of the broadly acceptable risk region, as defined by the HSE (paragraphs 3.28 to 3.30).
- 5.3 If a bounding reference accident was to occur with the wind blowing toward Tadley and mitigation of effective doses by sheltering was not taken into account, about four deaths are projected to occur as a result of the accident. These would arise over several decades and would not be detectable against the general mortality of the population over that period. Nevertheless, this number of projected deaths emphasises why it is important to have an appropriate off-site emergency plan in place (paragraph 3.38).
- 5.4 The off-site emergency plan properly emphasises warning and informing with a view to achieving short-term sheltering. Such sheltering would very substantially reduce the effective doses incurred by individuals present downwind of the accident. Such sheltering would only be required until the atmospheric release from AWE

Aldermaston had ceased. This would typically be a few hours. Provision of such advice is largely automated and does not place a heavy load on the authorities.

- 5.5 It is possible that if less restrictive planning requirements were imposed within the DEPZ that Tadley could increase in population relatively rapidly. Nevertheless, there is limited space for development within the current DEPZ. Together with observations of the growth in population of Wards outside the DEPZ between 2001 and 2011, it seems unlikely that the population of Tadley would grow by more than about 3,000 or 20% of the current population (paragraph 4.8). In terms of sheltering, it seems likely that the new housing stock would have better control on ventilation and be more suitable for sheltering than some of the existing stock (paragraph 4.10). Overall, a growth in population of up to 20% might require some detailed changes to the off-site emergency plan, but there is no reason to suppose that substantial qualitative changes would be required. As the off-site emergency plan has to be revised every three years, it should be straightforward to integrate updates with the implementation of proposed residential and other developments (paragraph 4.13). However, it will be important to ensure that the design of these developments gives consideration to key issues in emergency planning (paragraph 4.10) and that access for emergency services to AWE Aldermaston is not impaired, or is enhanced (paragraph 4.11).
- 5.6 Even if there was a significant increase in the population of Tadley, it seems clear that it would still comply with the general requirement that the general characteristics of the area around a nuclear licensed site should be preserved (paragraph 4.14).

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Richardson, C, 2015a, E-mail to M C Thorne dated 13 July 2015. This states that 'With respect to the update on the AWE Off-Site plan this is being updated now. It was due earlier in the year however there was the potential, and there still is, that the Detailed Emergency Planning Zone would change. There has been a delay in this process such that we are reviewing the plan based on the current status. I anticipate the updated plan to be approved in Sept at the latest following final consultation with the planning group and the public version of the plan should

be on the website shortly thereafter.’ Carolyn Richardson, Civil Contingencies Manager, West Berkshire Council.

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APPENDIX B

Secretary of State Boundary Hall Decision

16 June 2011

Douglas C B Bond
Woolf Bond Planning
The Mitfords, Basingstoke Road
Three Mile Cross
Reading
RG7 1AT

Our Ref: APP/H1705/V/10/2124548
Your Ref:

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77
APPLICATION BY CALA HOMES (SOUTH) LTD
BOUNDARY HALL SITE, ALDERMASTON ROAD, TADLEY, RG26 4QH
APPLICATION REFERENCE: BDB/67609**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Phillip J G Ware BSc DipTP MRTPI, who held a public local inquiry which sat for 14 days between 12 October 2010 and 13 January 2011 into your client's application for *'the demolition of the existing hall, the relocation of the existing substation and redevelopment of the land to provide approximately 945 square metres of B1 commercial space, 115 dwellings, new public open space, car parking, new footpaths, landscaping and 2 new access roads off Almswood Road and improvements to the existing access point off Aldermaston Road'* at the Boundary Hall Site, Aldermaston Road, Tadley, RG26 4QH in accordance with application reference BDB/67609, dated 28 November 2007.
2. On 4 March 2010 the Secretary of State directed, in pursuance of section 77 of the Town and Country Planning Act 1990, that the application be referred to him instead of being dealt with by the relevant planning authority, Basingstoke and Deane Borough Council (the Council).

Inspector's recommendation and summary of the decision

3. The Inspector recommended that planning permission be refused. For the reasons given below, the Secretary of State disagrees with his recommendation, and grants planning permission. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Jean Nowak, Decision Officer
Planning Casework Division
Department for Communities and Local Government
1/J1, Eland House
Bressenden Place
London
SW1E 5DU

Tel: 0303 444 1626
Email: PCC@communities.gsi.gov.uk

Procedural matters

4. In reaching his decision the Secretary of State has taken into account the Environmental Statement (ES) submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The Secretary of State considers that the ES complies with these regulations and that sufficient information has been provided for him to assess the environmental impact of the application. In coming to this conclusion, the Secretary of State has taken account of the Inspector's comments (IR294) that the extent of a radiation dose that would be received by occupiers of the development arising from a radiation emergency was not directly addressed in the ES. However, he is satisfied that the arguments put forward by the HSE at the Inquiry (IR187) made it clear that a dose of 30mSv would be significantly harmful and that this was not challenged by any other party. The Secretary of State does not therefore consider it necessary to pursue this matter further with the parties before taking account of it in the overall planning balance (see paragraphs 13 and 22 below).

Matters arising after the close of the inquiry

5. The Secretary of State has taken account of the Written Ministerial Statement (WMS) of the Rt Hon Greg Clark MP, dated 23 March 2011, which emphasises that significant weight should be attached to the need to secure economic growth and employment. However, he does not consider it necessary to refer back to the parties to this case on the WMS as he has already addressed economic growth and employment issues (in so far as they relate to this case) in determining this application, and he is satisfied that it raises no new issues which would affect his decision.
6. The Secretary of State has also taken account of a representation dated 9 March 2011 from Mr Brian Spray. As this did not raise any new matters that would affect his decision, he has not considered it necessary to circulate it to all parties, but copies of this representation can be made available upon written request to the address at the foot of the first page of this letter.

Policy considerations

7. In deciding the application, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the 2009 South East Plan (the RS) and saved policies of the 2006 Basingstoke and Deane Local Plan (LP). The Secretary of State agrees with the Inspector that the main relevance of the RS in this case relates to the housing land requirement set out at policies H1 and WCV3 (IR21 and IR23) and that the most relevant saved LP policies are those set out at paragraph 4.4 of the Planning Statement of Common Ground (document 8 listed on IR page 68 under "Documents handed in at the Inquiry").
8. The Secretary of State notes that the Local Development Framework Core Strategy is at a very early stage (IR27), and he attaches very little weight to it. He considers that the Supplementary Planning Guidance and Supplementary

Planning Documents set out at paragraph 4.4 of the Planning Statement of Common Ground are also material considerations.

9. The Secretary of State has made it clear, following the judgment of the Court on 10 November 2010 in *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government and Winchester City Council* [2010] EWHC 2886 (Admin), that it is the Government's intention to revoke RSs, and the provisions of the Localism Bill which is now before Parliament reflect this intention. The Secretary of State has taken the Government's intention to revoke RSs into account in determining this case, although he gives it limited weight at this stage of the parliamentary process.
10. Other material considerations which the Secretary of State has taken into account include: Planning Policy Statement (PPS) 1: *Delivering Sustainable Development* and its Supplement: *Planning and Climate Change*; PPS3: *Housing*; PPS4: *Planning for Sustainable Economic Growth*; Planning Policy Guidance note (PPG) 13: *Transport*; PPG17: *Planning for Open Space, Sport and Recreation*; PPS23: *Planning and Pollution Control*; Circular 11/1995: *Use of Conditions in Planning Permission*; Circular 04/2000: *Planning controls for hazardous substances*; Circular 05/2005: *Planning Conditions*; and the Community Infrastructure Levy (CIL) Regulations. Like the Inspector (IR314-321), the Secretary of State accepts that the policy sources relied on by the HSE have been regularly used in relation to non-reactor sites, and he has therefore taken account of: the 'Fourth Report on Compliance with the Convention on Nuclear Safety Obligations'(IR30); the Statement by the Secretary of State for Energy in March 1988 dealing with demographic criteria (IR30); and the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (REPPIR), which includes the requirement for the production of an Off Site Plan (IR31).

Main issues

The relationship of the proposal to the development plan

11. The Secretary of State has had particular regard to the saved LP policies referred to in paragraph 7 above. He agrees with the Inspector (IR395) that the site is identified for the type of development currently proposed. He has taken account of the fact that the health consequences of the proximity of the site to the Aldermaston Atomic Weapons Establishment (AWE) were not considered when the LP was adopted, or as part of the 'saving' process (IR264), but he agrees with the Inspector (IR267) that information and evidence emerging after the adoption of a plan may properly be dealt with as a material consideration in dealing with particular proposals, and he has proceeded on that basis in this case. He has also had regard to the general policies in the LP relating to minimising pollution and to environmental well-being.

The effect on human health

12. With regard to the risk of a nuclear accident (IR271-284 and 348-349), while observing that there is no historical evidence of any previous incidents at the AWE site involving the release of material to the open environment, the Secretary of State agrees with the Inspector that it is essential to consider the

possibility of future incidents (IR272). He also agrees with the Inspector (IR276-281 and 284) that, although the REPPIR approach towards 'reasonably foreseeable' events does not give a clear definition of the likelihood of an event occurring, it has the benefit of being the tried and tested statutory approach which is applied to the entire nuclear industry. Taking all this into account, the Secretary of State agrees with the Inspector at IR283 that the best description of the risk that an event at AWE would impinge on those living and working outside the site would be 'extremely remote', while acknowledging that some weight should be given to the potential for a "reasonably foreseeable" emergency at AWE.

13. For the reasons given at IR285-298, the Secretary of State agrees with the Inspector's conclusion (IR299 and 350) that the potential for a person to receive a 30mSv dose is an important material consideration (IR299). He also agrees with the Inspector that the fact that the HSE did not object to other housing developments in the area, most notably Kestrel Mead which is located slightly closer to the AWE, adds very little to the applicant's argument in this case (IR297). The Secretary of State further agrees with the Inspector (IR300-313 and 351) that the Off Site Plan is designed to be flexible and extendable and that, while it is possible that the implementation of the application scheme would necessitate changes to the Plan, the evidence does not lead to the conclusion that the Plan would fail (IR351). In coming to this conclusion, the Secretary of State has noted in particular (IR311) that West Berkshire Council (who chair the Off Site Plan Working Group) consider that the Plan could be adapted to allow for the proposed development.
14. The Secretary of State also agrees with the Inspector (IR322-344 and 352) with regard to population density criteria. He agrees that the demographic criteria in national policy are specifically intended to be used only for guidance, and that a breach in the policy and the semi-urban criterion should not, in itself, be a reason to refuse planning permission. However, he agrees with the Inspector that the semi-urban criterion is already breached in this location, and that the breach would be worsened by the proposal (IR341).
15. In conclusion on health matters (IR348-353), the Secretary of State agrees with the Inspector that each application must be treated on its own merits (IR347), that the risk of a nuclear accident at AWE occurring at all is very low and that there is no clear definition of the likelihood of an off-site event occurring (IR349). He accepts (IR350) that if such an event were to occur, the potential that those on the application site could receive a materially harmful dose of the order of 30mSv is an important consideration, but he agrees with the Inspector (IR352) that the evidence does not lead to the conclusion that the Off Site Plan would fail. Therefore, although the Inspector goes on to conclude (IR353) that the HSE's "Advise Against" position is justified, the Secretary of State considers that, whilst it is the specific role of the HSE to advise Ministers - including emphasising the potential implications of an event occurring at AWE - it is his role to weigh that advice in the planning balance against the allocation of the site for housing in the LP and other material considerations.

Other material considerations

The improvement of the site, density and sustainability

16. For the reasons given at IR355-357, the Secretary of State agrees with the Inspector that, while the site is currently visually unattractive and under-utilised, it is clearly sustainable and its development would be in accordance with LP policies D5 and D2 as well as with national policy by making efficient use of previously developed land. He also agrees that both the proposed density of the residential element and the layout and scale of the commercial element would represent an efficient use of the site.

General housing need and supply, affordable housing and dwelling mix

17. For the reasons given at IR358-364, the Secretary of State agrees with the Inspector that the figure set in the RS of a requirement for 945 dwellings per annum for the period 2006-2026 is the only one which has gone through a full needs assessment and has been adopted (IR358). He also agrees that the applicant's assessment of deliverable land supply is more realistic than the Council's (IR362); and that this demonstrates a deficiency in the five year supply regardless of which housing requirement figure is used (IR363). The Secretary of State therefore agrees with the Inspector (IR365) that the proposed scheme should be considered favourably as being in line with national policy. He considers that the lack of a 5 year housing supply is a factor which weighs significantly in favour of development.
18. The Secretary of State also agrees with the Inspector (IR366-372) that there is a significant under-provision of affordable housing locally, with a clearly identified need in Tadley against which the proposal would deliver 46 units (IR368). Therefore, given the lack of evidence of other deliverable and available sites in Tadley (IR369), he agrees that the application would accord with LP policy C2 and the Affordable Housing Supplementary Planning Document (IR366). The Secretary of State also agrees with the Inspector (IR373) that the proposal would create a mixed and inclusive community and would accord with the requirements of LP policy C3, and he gives this significant weight.

Employment floorspace

19. The Secretary of State agrees with the Inspector (IR374) that the employment provided by the scheme would be in a sustainable location, would enhance the existing commercial provision in Tadley, and would be in accordance with LP policy EC4 and the LP site allocation.

Design, layout, open space and footpath improvements

20. The Secretary of State agrees with the Inspector at IR377 that the improvements to the existing footpath along the southern boundary of the site would improve surveillance and the overall quality of the path and would provide access to the proposed open space, thereby complying with LP policy C9. He also agrees (IR378-379) that the scheme complies with the requirements for high quality and inclusive design and that the proposed central

open space would be accessible both to residents of the development and to other local people, thereby according with LP policy C9 (IR379).

The planning balance

21. Taking account of the Inspector's comments at IR394-403, the Secretary of State agrees with him that, with the exception of those general LP policies dealing with pollution and environmental well-being, the application accords with the development plan including the site being identified in a saved LP policy for the type of development currently proposed (IR395). Furthermore, the site is in a sustainable location, the proposal would make good use of the land in both visual and sustainability terms and would provide planning benefits (IR396) including the provision of affordable housing and the replacement of community facilities (see paragraph 25 below). The Secretary of State also attaches significant weight to the support gained from paragraphs 69 and 71 of PPS3.
22. Against these benefits, the Secretary of State agrees with the Inspector (IR398) that the sole objection relates to the potential effect on human health of a materially harmful radiation dose. However, while he does not seek to minimise the potential impact of any individual dose, the Secretary of State considers that this should be placed in the context of the probability of such a dose arising which, while unquantified, has been described as 'extremely remote' (see paragraph 13 above). Added to this, he has taken account of the fact that there is no evidence that the Off Site Plan for dealing with such emergencies would fail; and he is satisfied that the intensification of population density is not, in itself, a reason to refuse planning permission.
23. The Secretary of State considers that these factors temper the weight to be attached to the risk of a materially harmful radiation dose relative to the benefits of the proposed scheme. No activity can ever be regarded as being risk free, each case has to be considered on its own merits, and the Secretary of State concludes that the potential benefits of this scheme, coupled with the fact that is generally in accordance with the development plan, outweigh the real, but very small, risks attached.

Conditions

24. The Secretary of State is satisfied that the conditions recommended in the Inspector's schedule (IR380-390) and reproduced at Annex A to this letter are reasonable and necessary and meet the other tests of Circular 11/1995.

Obligation

25. The Secretary of State has considered the executed unilateral planning obligation dated 15 November 2010 and the Inspector's comments at IR391-393. He agrees with the Inspector that the obligation meets the tests set out in Circular 05/2005 and accords with the CIL Regulations; and he considers that the matters contained in the obligation are additional factors which weigh in favour of the proposal. In particular, the Secretary of State agrees with the Inspector (IR376) that the provision of a new Scout Hut facility, or contributions towards it, will be of greater benefit to the community than the retention of the existing building, and that the objectives of LP policy C8 would thereby be met.

Overall Conclusions

26. The Secretary of State concludes that, with the exception of those general LP policies dealing with pollution and environmental well-being, the application accords with the development plan and the Council's Affordable Housing Supplementary Planning Document and that it gains further support from national policy in PPS3. Against this, he attaches significant weight to the risk that those on the application site could receive a materially harmful radiation dose but, having carefully considered all relevant considerations, he concludes that the support from development plan policy and factors which weigh in favour of the proposed development together outweigh the limited conflict with development plan policy and the extremely remote possibility of the type of incident occurring which could give rise to the factors weighing against the scheme. He does not therefore consider that there are material considerations of sufficient weight to justify refusing planning permission.

Formal Decision

27. Accordingly, for the reasons given above, the Secretary of State disagrees with the Inspector's recommendation. He hereby grants planning permission for the *'the demolition of the existing hall, the relocation of the existing substation and redevelopment of the land to provide approximately 945 square metres of B1 commercial space, 115 dwellings, new public open space, car parking, new footpaths, landscaping and 2 new access roads off Almswood Road and improvements to the existing access point off Aldermaston Road'* at the Boundary Hall Site, Aldermaston Road, Tadley, RG26 4QH in accordance with application reference BDB/67609, dated 28 November 2007, subject to the conditions set out in Annex A to this letter.
28. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.
29. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
30. This letter serves as the Secretary of State's statement under regulation 21(2) of the Town and Country (Environmental Impact Assessment) (England and Wales) Regulations 1999.

Right to challenge the decision

31. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.

32. A copy of this letter has been sent to Basingstoke and Deane Borough Council.
A notification letter has been sent to all other parties who asked to be informed of the decision.

Yours faithfully

Jean Nowak

Authorised by Secretary of State to sign in that behalf

Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following 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

- 2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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 be carried out in accordance with the approved details.
- 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/planted. The approved screen walls/fences shall be erected and the hedges planted in accordance with the approved details before the relevant buildings hereby approved are first occupied, and shall subsequently be retained.

- 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.
- 6 No work relating to the construction of the development hereby approved, including works of demolition or site preparation prior to building works, shall take place before the hours of 0730 nor after 1800 on Monday to Friday, before the hours of 0800 nor after 1300 on Saturdays, nor on Sundays or recognised public holidays.
- 7 The approved bathroom windows at first floor level shall be glazed with obscured glass and shall be permanently retained in that condition.
- 8 The dwellings and commercial building hereby permitted shall not be occupied until the relevant vehicle parking and turning space has been constructed, surfaced and marked out, and cycle parking and secure storage constructed in accordance with the approved details. Those facilities shall not thereafter be used for any purpose other than parking, turning, loading and unloading of vehicles and parking/storage of cycles.
- 9 No development shall take place 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 only for the intended purpose for the duration of the construction period.
- 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. Development shall be carried out in accordance with the approved details.
- 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 desktop 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
 - (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

- (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.

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, including details of its implementation, shall be submitted to and approved in writing by the Local Planning Authority.

- 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 11(c) that any remediation scheme required and approved under the provisions of condition 11(c) has been fully implemented in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Such verification shall comprise:
 - (a) as built drawings of the implemented scheme; and
 - (b) photographs of the remediation works in progress; and
 - (c) 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 11(c).

- 13 No deliveries of construction materials or plant and machinery shall take place before the hours of 0730 nor after 1800 on Monday to Friday, before the hours of 0800 nor after 1300 on Saturdays, nor on Sundays or recognised public holidays.
- 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, and 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 buildings 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.
- 15 The commencement of the development shall not take place until a detailed scheme for protecting the development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include 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 relevant buildings hereby permitted.

- 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 on drawing 29 Rev B have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented in full prior to the occupation of the development hereby permitted.
- 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 in writing. The approved scheme shall be implemented in accordance with the approved details before the development is completed.
- 18 Prior to the occupation of the development 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 be carried out and be thereafter retained in accordance with the approved details and used in accordance with the agreed hours of illumination.
- 19 The commercial building shall be used only for purposes within 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).
- 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. The tree protection works shall be carried out before any demolition or building work is undertaken, and shall be retained in situ for the entire construction period.
- 21 Prior to the commencement of development a temporary 2 metre 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 fence shall be fully implemented before development commences and retained for the duration of the construction period.
- 22 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.

- 23 All garages constructed shall not be converted or used for any residential purpose other than as a domestic garage for the parking of vehicles.
- 24 The accesses shall be provided with splays to the highway at an angle of 45 degrees for a distance of 2 metres.
- 25 No gates shall be installed at the accesses from the highway into the site at any time.
- 26 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 to and approved by the Local Planning Authority.
- 27 No pedestrian or vehicular access, other than as shown on the approved plans, shall be formed into the site.
- 28 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.
- 29 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.
- 30 15% of the dwellings hereby approved shall be built to Lifetime Mobility standards.

RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS;

The decision may be challenged by making an application to the High Court under Section 288 of the Town and Country Planning Act 1990 (the TCP Act).

Challenges under Section 288 of the TCP Act

Decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged under this section. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application under this section must be made within six weeks from the date of the decision.

SECTION 2: AWARDS OF COSTS

There is no statutory provision for challenging the decision on an application for an award of costs. The procedure is to make an application for Judicial Review.

SECTION 3: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the report of the Inspector's report of the inquiry or hearing within 6 weeks of the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.



Report to the Secretary of State for Communities and Local Government

by Phillip J G Ware BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 22 March 2011

TOWN AND COUNTRY PLANNING ACT 1990

BASINGSTOKE AND DEANE BOROUGH COUNCIL

BOUNDARY HALL SITE, ALDERMASTON ROAD, TADLEY

APPLICATION BY CALA HOMES (SOUTH) LTD

Inquiry opened on 12 October 2010

Boundary Hall site, Aldermaston Road, Tadley RG26 4QH

File Refs: APP/H1705/V/10/2124548

File Ref: APP/H1705/V/10/2124548

Boundary Hall site, Aldermaston Road, Tadley RG26 4QH

- The application was called in for decision by the Secretary of State by a Direction, made under section 77 of the Town and Country Planning Act 1990, on 4 March 2010.
- The application is made by Cala Homes (South) Ltd to Basingstoke & Deane Borough Council.
- The application Ref BDB/67609 is dated 28 November 2007.
- The development proposed is the demolition of the existing hall, the relocation of the existing substation and redevelopment of the land to provide approximately 945 sq.m. of B1 commercial space, 115 dwellings, new public open space, car parking, new footpaths, landscaping and 2 new access roads off Almswood Road and improvements to the existing access point off Aldermaston Road.
- The reason given for making the Direction was that the Secretary of State is of the opinion that the application was one which he ought to decide himself.
- On the information available at the time of making the Direction, the following were the matters on which the Secretary of State particularly wished to be informed for the purpose of his consideration of the application:
 - a) 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 – the South East Plan, published 6 May 2009, and the Basingstoke and Deane Local Plan 1996-2011 (saved policies);
 - b) The extent to which the proposed development is consistent with policies to ensure that any unacceptable risks to human health are identified and properly dealt with;
 - c) Whether there are any other material planning considerations relevant to the Secretary of State's consideration;
 - d) Whether any permission granted for the proposed development should be subject to any conditions and, if so, the form these should take;
 - e) Whether any planning permission granted should be accompanied by any planning obligations under section 106 of the 1990 Act and, if so, whether the terms of such obligations are acceptable.

Summary of Recommendation: The application be refused.

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Abbreviations	
The Applicant	Cala Homes (South) Ltd
The Council	Basingstoke and Deane Borough Council
The HSE	Health and Safety Executive, Nuclear Directorate
AWE	Aldermaston Atomic Weapons Establishment
C04/00	Circular 04/00 ' <i>Planning controls for hazardous substances</i> '
C11/95	Circular 11/95 ' <i>The use of conditions in planning permissions</i> '
C05/05	Circular 05/05 ' <i>Planning Obligations</i> '
PPS23	Planning Policy Statement 23 ' <i>Planning and Pollution Control</i> '
Planning SOCG	Planning Statement of Common Ground (agreed between the Applicant and the Council)
Population SOCG	Local Population Estimation Statement of Common Ground (agreed between the Applicant and the Council ¹)
DPD	Development Plan Document
CIL	Community Infrastructure Levy
DEPZ	Detailed Emergency Planning Zone
HIRE	Hazard Identification and Risk Evaluation assessment
REPIR	Radiation (Emergency Preparedness and Public Information) Regulations 2001
The Hansard Policy	Statement by the Secretary of State for Energy, 11 March 1988, dealing with demographic siting criteria for nuclear power stations
Off Site Plan	Atomic Weapons Establishments Off-Site Contingency Arrangements (Version 1/2009)
AGR	Advanced Gas cooled Reactor
ALARP	(Risk) As Low As Reasonably Practicable
mSv	Milli-Sieverts (The unit of measurement of radiation dose)
PDL	Previously Developed Land
NuSAC	Nuclear Safety Advisory Committee

¹ With Council caveats at paras 1.3.3.4 & 1.3.3.5

PROCEDURAL MATTERS

1. The Inquiry sat for 14 days, on 12 – 14 October, 19 – 22 October; 16 – 19 December; 6 December 2010 and 13 January 2011.
2. Unaccompanied visits to the site and the surrounding area were undertaken before the Inquiry opened and on 7 December 2011. In the latter case, guided by requests from all parties, an extensive tour of Tadley and around the AWE boundary was undertaken.
3. On 21 October 2010 a visit was undertaken to the AWE facility itself. This was with representatives of the three main parties. The purpose of the visit was to observe the general layout of the AWE site and its relationship to the application site. As was announced at the Inquiry, a limited amount of evidence was given during this visit. Specifically, the representative of AWE was able (subject to national security constraints) to explain some of the activities which took place on the site within existing buildings and to identify areas of future intended development and the broad nature of the uses which would take place there. This visit was undertaken during the course of the Inquiry and all parties had the opportunity to subsequently comment on this evidence.
4. The proposal is supported by the Council, the Applicant and others who appeared at the Inquiry, and opposed by HSE.
5. This report includes a description of the application site and its surroundings, an outline of the proposal and its history, the relevant policy context, a summary of other agreed facts, and the gist of the representations made at the Inquiry and in writing. The report includes conclusions and recommendation, along with a schedule of conditions to be considered in the event that planning permission is granted.

THE SITE AND ITS SURROUNDINGS²

6. The application site (2.78 hectares) was formerly occupied by Ministry of Defence residential accommodation and is now a substantial area of overgrown scrubland. The only structures on the site are an electricity substation and a former cinema, which is now used as a Scout Hut³.
7. The site is accessed at two points off Aldermaston Road, and from Almswood Road. There are a series of informal paths across the site, and a formal footpath on the southern boundary.
8. The site is within the defined settlement of Tadley, and is bounded by Aldermaston Road (the A340) to the north and northeast⁴. There are residential areas to the west and southwest of the site, and bank premises to the southeast⁵. The Tadley District Centre (including a supermarket) is to the south of the site.

² More fully described in the Planning SOCG Section 2

³ Photographs of the site at APP/12 Annex 4

⁴ Plan APP/4 shows the site in its context, including AWE

⁵ Incorrectly referred to as southwest in the Planning SOCG

9. Immediately beyond the A340, and extending for a considerable distance, is the AWE site. There are comparatively new housing developments on the opposite side of the A340, known as Kestrel Mead and Falcon Fields. These are slightly closer to AWE than the application site.⁶
10. Aside from AWE itself (which employs 5,530 people⁷), the wider area includes other employment uses, most notably at Calleva Business Park further along the A340 to the west. Public transport access to the Business Park, and to Basingstoke to the south, is by way of buses which run along the A340.

RELEVANT PLANNING HISTORY AND THE SITE ALLOCATION⁸

11. The Planning SOCG sets out the detailed planning history of the site. There have been a number of applications which have been withdrawn, including proposals for residential development and a foodstore. There are no extant permissions affecting the site.
12. Following the release of the land by the Ministry of Defence and the demolition of the former residential accommodation, the site was identified for residential development in a Brief adopted in December 1996⁹.
13. Following several years of preparation and consultation, the LP was adopted in July 2006. The site was allocated for mixed residential and employment use¹⁰. This policy was 'saved' by Direction in June 2009¹¹.

THE APPLICATION AND ITS HISTORY¹²

14. The proposal is for the demolition of the electricity substation and the former cinema (now the Scout Hut) and the redevelopment of the site for residential and commercial purposes. The substation would be relocated on the western side of the site, close to Almswood Road¹³. Planning permission was granted¹⁴ in September 2009 for a new scout den off the site in Southdown Road, and this would be implemented under the terms of a Planning Obligation (November 2010) submitted with the current proposal¹⁵.
15. The residential development would comprise 115 dwellings, including 40% affordable housing. The density of the development equates to c.41 dwellings per hectare, and 185 car parking spaces would be provided. The parties agreed that a reasonable assumption was that the resident population would be 268 people, and this figure was used throughout the Inquiry. The access to the majority of the residential element would be by way of two new access roads off Almswood Road.

⁶ Framework Plan at end of LPA/6 bundle shows the extent of AWE, and Opportunities and Constraints Plan shows the location of the new Pegasus project

⁷ HSE/11

⁸ More fully described in the Planning SOCG Section 2

⁹ Core Document 15

¹⁰ Core Document 3 Policy D3.17

¹¹ Core Document 4

¹² More fully described in the Planning SOCG Sections 4 (proposal) and 5 (consideration to date)

¹³ Plan no.189A60 12 D

¹⁴ Core Document 19

¹⁵ Doc 9, Section 10

16. The commercial floorspace would comprise 945 sq.m. of Class B1 accommodation, in the form of a 3-storey linked block, with 26 parking spaces. The access to the commercial development would be from Aldermaston Road, by way of the existing entrance – which would also serve the apartment blocks and some existing uses adjacent to the site.
17. There would be a new public open space (1,600 sq.m.) in the central part of the site and a local area for play (400 sq.m.) The existing footpath along the southern boundary of the site would be upgraded.
18. The application was submitted in November 2007 and registered as valid in the next month. It was reported to the relevant Committee in July 2009, and was recommended for refusal by officers for reasons related to public safety and the absence of a legal agreement related to financial contributions and affordable housing¹⁶. The Committee was minded to approve the application, and notice was duly given to HSE (who had Advised Against the proposal). The Secretary of State issued an Article 14 letter in July 2009, advising the Council that it could not approve the application at that stage.
19. The application was reported back to the Committee in February 2010¹⁷. Officers recommended refusal for essentially the same reasons. The Committee determined that it was minded to approve the application, subject to the completion of a Section 106 agreement covering specified matters. Putative reasons for approval were set out¹⁸.
20. The application was 'called in' for the Secretary of State's decision on 4 March 2010, by a determination under section 77 of the Town and Country Planning Act 1990.

POLICY CONTEXT¹⁹

21. The development plan comprises the South East Plan (2009)²⁰ and the saved policies in the Basingstoke and Deane Local Plan (LP)²¹. During the course of the Inquiry the South East Plan reverted to development plan status following the judgement of the High Court, although the Secretary of State's intention to abolish Regional Strategies is a material consideration. The main relevance of the South East Plan in this case relates to housing land requirement²².
22. Planning policy related to the proposal is reviewed in the Planning SOCG. Along with the allocation of the application site, to which reference was made above, the main policies are summarised below.

¹⁶ Core Document 32

¹⁷ Core Document 32 – NB the reports are dated January 2010, but the meeting was postponed due to bad weather

¹⁸ Planning SOCG para 6.6

¹⁹ More fully described in the Planning SOCG Section 2

²⁰ Core Document 6

²¹ Core Document 4

²² Other South East Plan policies set out in APP/12 Appendix 1

South East Plan

23. The housing land requirement is set out at policies H1 and WCBV3²³ at 945 dwellings per annum for the period 2006-2026. There is no phasing of the delivery of the housing numbers over the plan period.

Basingstoke and Deane Local Plan

24. The LP includes a range of relevant policies dealing largely with uncontentious matters (as will be discussed below)²⁴. The phasing of residential development is dealt with at policy D2, whilst policy D3.17 deals specifically with the application site. Affordable housing and infrastructure contributions are covered largely by policies C2 and C1. Other policies deal with the built environment, community facilities, employment, accessibility, and infrastructure.
25. In relation to the risks to human health, the recommended reasons for refusal put forward by Council officers referred to LP policies E1 and D5. These deal in general terms with the need to minimise pollution and for development to contribute to environmental well-being.

Supplementary Planning Guidance / Documents

26. There are a range of Supplementary documents²⁵, dealing with issues including affordable housing and infrastructure contributions. None of these deal with the health issue, which is the key matter in dispute in this case.

Emerging local planning policy

27. Emerging local planning policy is at an early stage, and the Local Development Framework Core Strategy has yet to reach the stage of a pre-submission draft. There are currently no material policies²⁶, as was accepted by the Applicant and the Council.

Policy and guidance related to hazardous substances

28. It is common ground between the three main parties that PPS23 '*Planning and pollution control*' is relevant. This sets out that the impact on health is capable of being a material consideration, and deals with the commitment to the precautionary principle²⁷.
29. Circular 04/00 '*Planning controls for hazardous substances*' is also directly relevant. Amongst other matters, this sets out consultation arrangements²⁸ and deals with the role of HSE²⁹.
30. HSE placed weight on a number of national nuclear policies. In particular reference was made to the '*Fourth Report on Compliance with the Convention on Nuclear Safety Obligations*'³⁰, and the Statement by the Secretary of State

²³ Core Document Sections 7 and 21

²⁴ Planning SOCG paragraph 4.4

²⁵ Planning SOCG paragraph 4.4

²⁶ LPA/9 para 3.6 and LPA/11 para 115

²⁷ Paragraphs 2 and 5

²⁸ Annex A12-A18

²⁹ Annex A1-A9

³⁰ APP 9 Appendix 8 Esp. Paragraph 17.28

for Energy in March 1988 dealing with demographic criteria – the 'Hansard Policy'³¹. The Applicant and the Council both noted that these documents refer to nuclear power stations (as accepted by HSE) and argued that the policies are not directly applicable to sites such as AWE.

31. The Off Site Plan³² sets out the contingency arrangements for a multi-agency response should a radiation emergency occur at AWE and pose a hazard to the public outside the site boundary. The production of this Plan is a requirement of the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (REPPIR).

OTHER AGREED FACTS

32. There are a range of agreed matters between the Council and the Applicant³³. These include the principle of residential/commercial development and the fact that the scheme accords with the LP site allocation, the acceptability of the replacement community facility and the open space provision, noise issues, biodiversity considerations, drainage and flooding issues, sustainability, design and layout, the effect on neighbouring properties, and vehicle and pedestrian access. HSE have also agreed certain planning issues³⁴. There is also agreement (between the Applicant, the Council and HSE) on the factors relating to the derivation and generation of population numbers for the area around the AWE³⁵.
33. There is also agreement³⁶ between the Applicant and the Council on the housing mix and affordable housing provision, along with infrastructure contributions. These matters had formed a reason for refusal as recommended by Council officers, but the issue has subsequently been resolved to the Council's satisfaction by the Unilateral Undertaking³⁷.

THE CASE FOR THE APPLICANT³⁸

Overview

34. The effect on human health is clearly a material consideration. C04/00 states that HSE's role is specific to its area of expertise. It is an advisory role which does not extend to broad planning matters, which are the responsibility of the planning authority and ultimately the Secretary of State³⁹. Its advice is limited to the nature and severity of the risks. However in this case HSE sought to question the Council's evaluation of housing matters – in doing so it exceeded its role.
35. The decision maker must give careful consideration to HSE's advice. If that is done, HSE should consider its role to be discharged. There was detailed consideration of HSE advice at the Inquiry and, despite that, the Council's view

³¹ HSE/21 Appendix A.2

³² Core Doc 33

³³ Planning SOCG paragraphs 7.21 - 7.46

³⁴ HSE/2

³⁵ Population SOCG

³⁶ Planning SOCG paragraphs 7.23 - 7.26, 7.47 – 7.64

³⁷ Doc 9

³⁸ The case given here is an edited version of the closing submissions at APP/13

³⁹ C04/00 Annex A

remained the same - that the advice is not such as to justify refusing planning permission.

36. C04/00 deals with the general principles for development in the vicinity of hazardous installations⁴⁰.

Risk and hazard

37. The relevant risk is the residual risk which remains after all reasonable practicable measures have been taken to ensure that the installation is safe. Specifically, the requirement on AWE is to make the risk as low as reasonably practicable (ALARP).
38. Some HSE witnesses seemed initially reluctant to accept that the current operations at Aldermaston were ALARP, on the basis that improvements to the facility are being considered. But the ALARP obligation is currently met and for the purposes of land use planning the relevant risk is therefore that which remains after ALARP⁴¹.
39. HSE's approach focussed entirely on consequences not risk. HSE accepted that the 'reasonable foreseeability' test was consequence based and not risk based⁴². This is an obvious omission from the advice which HSE has given. It is necessary to consider both the risk of the initiating event and the risk of the consequences of the event. The REPPIR approach is designed to put emergency procedures in place, and should not be confused with the primary consideration of the likelihood of the event.
40. There can be no doubt that the residual risk is a very low one. HSE say the risk of the hazard occurring is a "very low probability.....because of the rigorous safety precautions taken on site"⁴³. AWE state that it is unlikely that there will ever be a major release of radioactivity⁴⁴.
41. There are appreciable risks of various kinds in the environment which contribute to a background level of risk⁴⁵. It is in this context that the very low level of residual risk at AWE should be considered.
42. The risk in this case does not relate to a potentially large number of casualties, but is a remote risk to a small number of people over their lifetime⁴⁶. It is not numbers but the proximity to the installation that is the material consideration⁴⁷. There is nothing vulnerable about the occupiers of the proposed development, other than that they would live close to the installation – they are not a 'vulnerable group' as defined in the Off Site Plan.

⁴⁰ C04/00 Annex A4

⁴¹ Accepted by Dr Highton in XX, although he accepted that this exercise had not been carried out

⁴² Accepted by Dr Highton in XX

⁴³ HSE/18 Paragraph 7.3

⁴⁴ HSE/8 Section 7

⁴⁵ As demonstrated in HSE's publication *Reducing Risks and Protecting People APP/8*

⁴⁶ Dr Lacy in XX

⁴⁷ Mr Saunders in XX

The safety of AWE

43. AWE operates on the basis of the twin approaches of Defence in Depth and the application of the Precautionary Principle. The emergency plans at AWE are approved through the HIRE as adequate to deal with all reasonably foreseeable events⁴⁸. Most identified potential faults at AWE would not result in any release of particulate radioactivity to the air, by virtue of the prevention, mitigation and protection measures in place⁴⁹.
44. Only a major fire engulfing a whole building or areas which store significant quantities of nuclear material would have consequences triggering emergency arrangements off the AWE site⁵⁰. Such fires are within the concept of accidents considered to be "reasonably foreseeable", being initiated by lightning strikes, drops, impacts or human errors. However it is extremely unlikely that there will ever be a major release of radioactivity from AWE⁵¹.
45. The emergency plan has the capacity to deal even with extremely unlikely accidents which could have consequences beyond the boundary of the DEPZ – this is the principle of extendibility. The plan can therefore deal with radiation emergencies that are not reasonably foreseeable⁵².

'The Rules are the Rules'

46. This was a recurring theme of HSE which resulted in paradoxical conclusions.
47. Part of HSE's approach sought to establish a numerical breach of the semi-urban criterion, and HSE put forward the argument that this was, in itself, a sufficient reason for objecting. But this strict quantitative analysis is not the approach that should be adopted, especially as HSE agrees that there is no bespoke Government policy applying to installations like AWE and other legacy sites. It also conflicts with HSE's acknowledgement that the Hansard criteria should be applied flexibly and is only for guidance.
48. HSE uses multiple points of origin for their calculations⁵³. But this makes no sense when there are specific known locations for the existing installations and where future development at AWE would not be located so as to put the existing residents near the site perimeter at a significantly greater risk.

Fear of the unknown

49. HSE knows where the sources of potential radioactive emissions are at present at AWE and where they are likely to be in future, but has not released this information on grounds of national security. It has not chosen to present this evidence in camera as was the case at the Oval Inquiry. He who asserts must prove, and HSE must accept the consequences of not doing so.

⁴⁸ HSE/8 2008 HIRE Page 3

⁴⁹ HSE/8 2008 HIRE Page 11

⁵⁰ HSE/8 2008 HIRE Pages 11/12

⁵¹ HSE/8 2008 HIRE Page 13

⁵² Core Doc 34 Paragraph 8

⁵³ HSE/21 Appendix K

50. A great deal more was known by the end of the Inquiry about the particular location of the nuclear activities at AWE. This was first discovered at the interim site visit both visually and from what AWE willingly disclosed. In addition, planning applications and permissions already in the public domain have revealed more detail.
51. This new information was analysed by the Applicant⁵⁴. Even apart from the fundamental point that the weighted population analysis is not risk informed, the Applicant's supplementary evidence demonstrated that HSE's multiple points of origin approach is wholly unrealistic.
52. In addition, if proposed new installations (especially the Pegasus project) are treated in accordance with Hansard policy, and given that HSE's approach is normally not to allow a new installation to breach those criteria, then HSE must have concluded that the new installations could go ahead without unacceptable risk to the existing population. Any future installations would also have to pass the same safety test. There is an existing population closer to the site than the proposed development and this provides a safety net for any further development.

Evacuation and dosage

53. The evidence is that evacuation might take place up to 400 metres from any breach, but that beyond this the dose drops and would not justify evacuation. It follows that the maximum distance at which one could get 30mSv would be 400 metres, and beyond that distance countermeasures will need to be taken but evacuation would not normally be needed. This is stated in the Off Site Plan⁵⁵.
54. Largely based on the facts obtained from the visit to AWE, the minimum distance between the nuclear area and the proposed development was calculated to be 740 metres. If the maximum effective dose that could be received at 400 metres is 30mSv, the maximum that could be received at 740 metres is 11.9mSv or less. The concern about the 30mSv dose would therefore not apply to the proposed development.

The extent of the DEPZ

55. HSE argued that the Applicant's case was at fault because it cast doubt on the justification for the size of DEPZ. HSE argued that if the Applicant's assertions about dose were correct, this would be at odds with the 3km DEPZ, which they say has been properly set and reviewed with reference to reasonably foreseeable radiation emergencies⁵⁶.
56. However the 3km DEPZ was defined historically and there is no evidence that it was determined by the REPPiR definition of a radiation emergency. The DEPZ was agreed with the Ministry of Defence in 1993 but there is no evidence as to how it was determined. In 2002 a HSE report⁵⁷ stated that there was a clear margin between the foreseeable scenario 5mSv zone and the quoted DEPZ. The

⁵⁴ APP/9 – first and second supplemental proofs

⁵⁵ Core Doc 33 Esp. Paragraphs 3.6.3b; 5.4.1; 5.4.2b

⁵⁶ HSE/20 Second rebuttal Paras 2.24/2.25

⁵⁷ HSE/13

report referred back to 1998 documents which concluded that the DEPZ could be reduced to 1.5km.

57. In any case, the Applicant's position does not depend upon showing that the DEPZ is too extensive, as the DEPZ serves a different purpose and is there to deal with emergency procedures. It does not deal with the probability of the risk. Consequently it is HSE'S case which is dependent on the extent of the DEPZ.
58. Analysis⁵⁸ of a 2008 Review of AWE Accident Fault Sequences⁵⁹ deals with a review of the major off-site releases which could give rise to an off-site dose exceeding 5mSv. The conclusion of that analysis was that the total frequency of reasonably foreseeable events may be substantially higher than once in 100,000 years, but this would be due to the inclusion of events with lower (or negligible) off-site consequences.
59. The largest effective dose that might be incurred 400m downwind of a reasonably foreseeable accident, with a frequency of around once every 100,000 years, is approximately 30mSv. The dose varies with distance⁶⁰. The shortest distances between southernmost points of facilities 1 and 2 and the nearest residence on the proposed development are 606m and 787m – the corresponding doses would be only 16mSv and 11mSv.

Summary of the Applicant's case

60. This sustainably located, LP allocated, previously developed site should be released. The proposed redevelopment would result in very substantial planning benefits, and be entirely in accordance with development plan policy. Without HSE's objection, planning permission would long since have been granted and the development would have been built.
61. The proposal is entirely in keeping with such Government policy as exists regarding siting around a nuclear facility such as AWE. It would:
 - Preserve the general characteristics of the population around AWE.
 - Not infringe any applicable limitations on population density.
 - Not prejudice the operation or effectiveness of the Off Site Plan.
 - Bring very substantial planning benefits.
 - Not create a precedent.

HSE's objection

62. It is Government policy that the general characteristics of the population around a licensed nuclear facility such as AWE should be preserved for the life of the facility.

⁵⁸ Set out in HSE/23 Paragraphs 51-55

⁵⁹ HSE/14

⁶⁰ Table at HSE/23 Page 16

63. This is a broad and generally qualitative objective which does not require the refusal of new development in the vicinity. This broad objective is not infringed in the present case because:
- The site is an infill site within Tadley, whose proposed re-development will be broadly consistent with land use in the immediate area. It previously housed an MoD hostel.
 - Once the reduction in household size over the next few years is taken into account, the application scheme will, at most, result in only a very minor increase in the population of the DEPZ⁶¹ - about 0.5% in the population in this part of the DEPZ. Even this assumes that the other allocated site in Tadley (between Mulfords Hill and Silchester Road) is delivered – but it is not in fact available⁶².
 - The Council's evidence⁶³, which was scarcely challenged, was that the population of the DEPZ has barely changed in the 12 or more years since licensing. The development would result in a very modest increase in population of the total DEPZ population - about 1.5%⁶⁴.
 - Natural growth in the relevant area will lead to an additional 383 people in the period to 2016, which generates a need for an additional 25 or so new homes in each of the 7 years being considered⁶⁵.
 - The site currently accommodates between 30 and 80 people a day – in the form of visitors to the Scout Hut. These people would be relocated more than 500 metres to the south of the site.
 - HSE is correct that the broad objective of preserving general site characteristics would be infringed in the event of what is called 'uncontrolled residential development'⁶⁶. But that is not the historical position or a description of the consequences of the current proposal. The Applicant and the Council agree that the general characteristics of the population around AWE have barely changed since licensing in 1997 and will not materially alter if the development goes ahead.
64. It is important to put the risk which forms the basis of HSE's concerns into context. Once this is appreciated, it is clear that it is grossly disproportionate to suggest that the development would be unsafe. It is common ground that the main safeguards to the public are derived from the design, construction and operation of the relevant nuclear facilities, and that there is no chance at AWE of either a nuclear explosion or a reactor meltdown.

⁶¹ Detailed analysis at HSE/23 Paragraphs 61 (2)

⁶² APP/12 Annex 2 Pages 14/15

⁶³ LPA/7 Appendices 4 and 5

⁶⁴ Details at APP/23 Paragraph 61 (4)

⁶⁵ LPA/7 Paragraph 5.8

⁶⁶ HSE 21 Paragraph 35

65. HSE'S case is based on consequences and does not accept that the level of risk is relevant. HSE hides behind the concept of "reasonable foreseeability". As was accepted⁶⁷, a general benchmark for reasonable foreseeability is an initiating event occurring once in 100,000 years. This is a risk which can be described as miniscule.
66. This miniscule risk is further reduced (to around 1 in 1,000,000 years) when account is taken of prevailing wind direction and mean wind speeds. The consequences of an accidental release would be likely to be experienced elsewhere than at the application site. The prevailing wind blows away from the application site and the mean wind speed is well above the 2 m/s assumed in most calculations. This would increase plume dilution⁶⁸.
67. In addition, the current position of HSE is very different to their approach for many years after licensing, when they took a relaxed view and their consultation criteria only covered applications likely to result in 20 new residents or more. Although proposals were referred to them, none led to a public safety objection. For example, there was no objection to the Kestrel Meads development, which is nearer AWE than the application site.
68. HSE's new stance reflects a review of demographics which it conducted following adoption of the LP⁶⁹. It does not reflect a revised judgement of the safety of AWE, a revised risk profile, or concerns from an emergency preparedness perspective.
69. It is surprising that HSE began to try to distance itself at the Inquiry from the REPPiR leaflets which AWE has been distributing to residents of the DEPZ in recent years. HSE has seen these leaflets and at no time prior to the Inquiry has it sought to suggest that they were inaccurate. In any event the general message in these leaflets – that residents are safe and that there is a very low risk of any harmful event at AWE – was not disputed by HSE⁷⁰.
70. HSE used the "reasonably foreseeable" benchmark in order to characterise the level of risk. But this says nothing about the assumed frequency of an event. "Reasonably foreseeable" is not defined numerically in REPPiR, but it is described as an event "which was less than likely but realistically possible"⁷¹.
71. It is not helpful to attempt to make comparisons about the relative risk of other nuclear installations having regard to the extent of their DEPZs.

Consequences of an incident

72. It would plainly be undesirable for people to receive a 30mSv dose of radiation. However it is important to consider that:
 - The figure assumes that no countermeasures are taken, whereas it is common ground that sheltering will substantially reduce the dose⁷².

⁶⁷ Dr Lacey accepted in xx

⁶⁸ APP/9 Section 5.6

⁶⁹ HSE/21 Paragraphs 13/14

⁷⁰ Dr Lacey in xx

⁷¹ Core Doc 34 Paragraph 50

⁷² APP/5 Page 5

- A dose of 20mSv is the annual legal worker dose limit⁷³.
73. When this is combined with the very low risk of an accident, it is apparent that the risk to an individual living on the site of developing a fatal cancer because of a radiological release from AWE is miniscule in terms of all the carcinogenic exposures of ordinary life⁷⁴. The substantial planning benefits of this proposal clearly outweigh the risks and their consequences.

Population density and the Hansard policy

74. HSE argues that the application should be assessed with reference to the population density criteria set out in the Hansard policy. However this is directed only at nuclear power stations and there is no government statement applying the policy to other nuclear installations. HSE agreed⁷⁵ that there is no specific Government policy dealing with a legacy site such as AWE.
75. HSE misquoted⁷⁶ the Minister's 6 June 1961 letter by substituting the words "a nuclear facility" for "the stations"⁷⁷. This is clear evidence of a belated appreciation by HSE that the alleged sources of Government policy on which they rely in fact relate only to nuclear power stations. In addition, the passage from the Draft National Policy Statement quoted by HSE⁷⁸ only deals with nuclear power stations⁷⁹. Other documents put forward by HSE do not support the use of the Hansard policy in the current case⁸⁰.
76. There are good reasons why it would be unreasonable for the full rigour of the Hansard policy (in particular, the population density criteria) to be applied in the current case. In particular, the consequences of a major accident at a nuclear power reactor would be very considerably worse than the worst accident that can be imagined at AWE. This justifies a less rigorous approach to population densities.
77. In any event there is no proper basis on which it can be said that the application scheme will result in, or exacerbate, a breach of the population density criteria in Hansard. There is no calculation based on a point of origin at the centre of the DEPZ - which was the approach used by HSE in its first consultation responses to the Council, and which was used in relation to the Shyshack Lane appeal⁸¹ - which shows the Hansard criteria being infringed.
78. HSE then changed tack and used a "multiple point of origin" analysis. But there is no Government policy supporting the use of this approach.
79. AWE is entitled to hold radioactive material anywhere within the site boundary and HSE argues that the location of potential radioactive source areas effectively amounts to the whole of the licensed site. However AWE's current and future activities are all subject to limitations imposed through its regulatory

⁷³ APP/5 Page 8

⁷⁴ APP/8 Appendix 4

⁷⁵ Dr Lacey in xx

⁷⁶ HSE/21 Paragraph 28

⁷⁷ Full text at HSE/21 Appendix C

⁷⁸ HSE/21 Paragraph 34

⁷⁹ Full text at HSE/21 Appendix F

⁸⁰ Details at APP/13 Paragraphs 67d-f

⁸¹ Doc 10

licences. Such limitations have no doubt been devised having regard to the location of existing population around the site, and it is impossible to see how development of the application site would alter the approach in any way.

80. In any event the Hansard Policy clearly states that its numerical criteria are “only for guidance” and that “other unquantifiable factors” would also need to be “taken into account”⁸². This type of numerical analysis may be guidance which informs decision making, but it cannot be the single and determinative consideration.

Planning for off-site emergencies

81. The Off Site Plan is fit for purpose and has been endorsed by all the organisations involved – including HSE⁸³. At the Inquiry HSE appeared to distance itself from the Off Site Plan⁸⁴. However HSE is a member of the Off Site Plan Working Group and observes exercises⁸⁵. If the Off Site Plan was inadequate, this would likely contravene both REPPIR and the AWE site licence, both of which HSE is charged with policing.
82. The Off Site Plan is designed for both resident and transient populations within the DEPZ⁸⁶, and would not be compromised by fluctuations in population levels. Accordingly an increase of 268 people will not compromise it⁸⁷. The Plan addresses the “extendibility” scenario whereby an incident might impact on the community beyond the DEPZ⁸⁸. This is accepted by HSE⁸⁹ and the Council⁹⁰, and it is noted that there is no maximum population beyond which the Plan ceases to be functional.
83. A further key consideration on these matters arises from the Applicant’s population counts⁹¹. There is a population of 3,695 people in sector J where the application site is located, and 4,865 in adjoining sector H. The application site is therefore not located in the highest population sector. If the Off Site Plan will work for sector H there is no reason to think that it will not work for a sector which contains materially fewer people.
84. It is common ground that an evacuation would not be called during an active release of radiation⁹². The most effective early counter-measure is to shelter indoors⁹³. Evacuation would normally be considered either prior to any exposure risk⁹⁴ or following the ‘active plume’ phase, once the pollutants have stabilised⁹⁵. In any event there is nothing to show why or how any planned evacuation would be prejudiced by the development.

⁸² HSE/21 Appendix A2

⁸³ APP/10 Paragraphs 3.21 and 4.23

⁸⁴ HSE/20 Paragraphs 3.2.9 and 4.2.1

⁸⁵ HSE/20 Paragraphs 3.2.5 and 3.28

⁸⁶ APP/10 Paragraph 3.10

⁸⁷ APP/10 Paragraph 4.30

⁸⁸ APP/10 Paragraph 3.19

⁸⁹ HSE/20 Paragraph 3.1.2

⁹⁰ LPA/8 Paragraphs 2.10.8 and 2.11

⁹¹ APP/11 2 x A3 sheets. 22.5 degree emergency planning sectors, not 30 degree Hansard sectors

⁹² APP/10 Paragraphs 3.13, 4.33 and 4.35; HSE/20 Paragraph 4.4.2

⁹³ Core Doc 33 Paragraph 3.6.3

⁹⁴ HSE/19 Paragraph 41

⁹⁵ APP/10 Paragraph 4.38

85. 'Spontaneous self-evacuation', by persons who want to leave the area despite the advice to shelter, is catered for within the Off Site Plan⁹⁶. Given that the development as a whole will only increase traffic flows in the local road network by about 2%⁹⁷, such self-evacuation will not hamper the emergency services, who are very familiar with the logistics of evacuation.
86. (Submissions were made on the representations from members of the Off Site Plan Working Group⁹⁸.)

Precedent

87. HSE's letter which secured the call-in of the application alleged that it would have "serious precedential implications", but this argument appears to have vanished entirely, and there was no challenge to the Applicant's evidence on this issue⁹⁹.
88. There would be no precedent set due to the particular benefits and wide public advantages of this scheme, which would outweigh the miniscule risks to which HSE points. It is impossible to identify any other site within Tadley that would be capable of delivering the scale of planning benefits which the scheme will provide.
89. The only other allocated site in Tadley has a capacity of around 40 units, but it is unavailable and undeliverable¹⁰⁰. Other sites have very serious suitability/availability/deliverability problems¹⁰¹. Tadley has a very tightly drawn development boundary and any development outside the area would be contrary to development plan countryside policies¹⁰².

Alleged prejudice to future operations at AWE

90. HSE put the suggestion to the Applicant (though not to the Council) that the current proposal would prejudice AWE's future operations. No weight should be given to this suggestion which was not raised by AWE in their consultation response.
91. AWE is a 267 hectare site, and it is far fetched to suggest that AWE's future operations would be hampered by the current proposal, especially as there are residents closer to the AWE boundary than the application site.

The development plan and planning benefits

92. (Submissions were made regarding the status of the South East Plan, as matters stood at that time, emphasising that it remains part of the development plan¹⁰³.)

⁹⁶ Core Doc 33 Paragraph 5.7.4

⁹⁷ Transport Assessment Paragraph 9.4

⁹⁸ APP/13 Paragraph 71

⁹⁹ APP/12 Section 11

¹⁰⁰ APP/12 Annex 2 Pages 14/15

¹⁰¹ APP/12 Paragraph 11.9 and Annex 3

¹⁰² APP/12 Plan DB1 and Paragraph 11.12

¹⁰³ APP/13 Paragraphs 77-79

93. The proposal is a mixed use scheme which would make efficient use of an underutilised, sustainable PDL site. It accords with the LP allocation in policy D3.13. HSE suggests that little weight should be given to this allocation, as the current detailed objections of HSE were not considered at the time of initial allocation or subsequent 'saving'¹⁰⁴. However HSE has only itself to blame as it appeared to have taken the view that it was unnecessary to respond when consulted during the LP process¹⁰⁵. The Council and the LP Inspector approached the allocation on the basis that HSE did not have objections.
94. The application scheme complies fully with the relevant design, transport, housing mix and density policies. Notably:
- Tadley generally and the site itself are sustainably located – LP policy D5¹⁰⁶. There is a good bus service to Basingstoke and the site is close to employment¹⁰⁷. It is the best site for sustainable development in Tadley¹⁰⁸.
 - The development of this PDL site entirely accords with national and local policy¹⁰⁹.
 - The scheme complies with the requirements for a high quality and inclusive design.
 - The proposed density (41 dwellings per hectare) is wholly appropriate and would be an efficient use of the site.
95. The application scheme would deliver a range of community benefits, which will not be achieved without the comprehensive redevelopment of the site:
- The proposal will redevelop a longstanding derelict site close to the centre of Tadley¹¹⁰.
 - The proposal will ensure the replacement of the existing Scouts facility, which is of "relatively poor quality"¹¹¹, with a new community facility¹¹².
 - The proposed employment provision will enhance the existing provision of commercial property in Tadley¹¹³.
 - The proposal will secure the significant enhancement of a public footpath¹¹⁴.
 - There will be two new areas of Public Open Space within the site, accessible both to residents of the scheme and other local residents. There are no such facilities in this part of North Tadley¹¹⁵.

¹⁰⁴ HSE/21 Paragraph 6.13

¹⁰⁵ HSE/21 Paragraph 6.9

¹⁰⁶ Core Document 3 Policy D5

¹⁰⁷ APP/12 Plan DB1

¹⁰⁸ APP/12 Paragraph 7.10

¹⁰⁹ Core Document 3 Policy D2

¹¹⁰ Photographs at APP/12 Annex 4

¹¹¹ Doc 8 Planning SOCG Paragraph 7.65

¹¹² APP/12 Paragraphs 7.21 – 7.23

¹¹³ Doc 8 Planning SOCG Paragraph 7.7

¹¹⁴ APP/12 Paragraphs 7.37

¹¹⁵ Doc 8 Planning SOCG Paragraph 7.35

Market housing

96. The application scheme will contribute towards the provision of market housing in the second largest settlement in the Borough. In light of the potential revocation of the RSS, it is not possible to identify a single housing requirement figure – a range of different possible figures have to be considered, with weight attached to each¹¹⁶.
97. The range of possible requirement figures are:
- The South East Plan requirement of 945 p.a. for 2006-2027. This figure derives from a plan which was 'sound' when it was published. It is evidence based and significant weight should be attached to this figure.
 - A requirement of 825 p.a. for 2006-2027. This is referenced in the GOSE letter¹¹⁷ and was an initial figure which was subsequently uplifted.
 - A locally generated need based requirement of 790 p.a. The July 2010 Planning and Infrastructure Overview and Scrutiny Committee Report is an up to date analysis which supports this figure¹¹⁸.
 - 740 p.a. - whether over the period 2011-2027 or 2006-2027. This is the bottom end of the possible range, and the figure to which least weight should be given. It reflects an officer recommendation for the proposed adoption of an 'interim' requirement. But it is unknown whether this recommendation would survive the gathering of an evidence base, public consultation, and independent scrutiny during examination of the relevant DPD¹¹⁹. This figure can be given no material weight.
98. The Council suggests that there is a housing land supply of 3,331 in the relevant 5 year period, whilst the Applicant suggests it is 2,583 (excluding the application site). The differences relate to 5 sites¹²⁰.
99. When comparing requirements and realistic supply, there is a deficit no matter what requirement figure is considered¹²¹. If the Applicant's supply figure of 2,583 is used, the extent of the shortfall ranges from 1,917 using 945 p.a. (equating to only 2.87 years supply) to a deficit of 572 using 740 p.a. for the whole period 2006-2027 (equating to 4.09 years supply). Even if the Council's supply figure of 3,331 is used, there would be a deficit in all cases, other than if using a requirement of 740 p.a. for the whole 2006-27 period. This requirement can be given no weight.
100. Leaving aside the 740 p.a. figure for 2006-27 period, on any other basis there is a substantial deficit as against the 5 year requirement, and the only issue for debate is the extent of the deficit. This is a clear case where favourable consideration is advised in PPS3.

¹¹⁶ APP/12 Annex 2 update

¹¹⁷ Core Doc 28

¹¹⁸ APP/12 Rebuttal Appendix 3

¹¹⁹ Further commentary on this figure at APP/13 Paragraph 88 (4)

¹²⁰ Details at APP/12

¹²¹ APP/12 Annex 2 update

Affordable housing

101. The application scheme will provide 46 units (40%) of affordable housing in line with the LP¹²²:
- There is a massive unmet need of between 580 and 920 affordable units in the Borough¹²³. There is a shortfall in affordable provision over the last 5 years of 972 units, as against the lowest end of the range¹²⁴.
 - There is no prospect that completions in the short and medium term will address this shortfall or the identified level of need for future years¹²⁵.
 - Within Tadley, the position is worse. There have been no affordable housing completions since 2005/6¹²⁶ and extant planning permissions (as at April 2009) do not include any sites that will provide affordable units¹²⁷. There is an annual need for 23 units in Tadley¹²⁸. Aside from the application site, there is only one site in Tadley which is large enough to attract a requirement for affordable housing provision (land between Mulfords Hill and Silchester Road) - this is unavailable and undeliverable¹²⁹.
102. HSE states that the Council has substantially exceeded its 'objective' of providing at least 300 affordable units a year in each of the last two years¹³⁰. But this objective is a policy constrained figure and does not reflect the agreed actual level of affordable housing need in the District. It would also be wrong to place undue weight on the numbers of affordable units completed in 2007-2009. This was a time when developers prioritised affordable units to aid cashflow, and when significant additional funds were available to help offset the decline in the private housing market¹³¹.
103. The opportunity to deliver much needed affordable housing in Tadley, the second largest settlement in the Borough, is a material consideration to which very significant weight should be attached.

THE CASE FOR THE COUNCIL¹³²

Initial contextual points

104. The Council supports this application. The site is located within the defined settlement boundary of Tadley and is sustainably located. The development would provide much needed market and affordable homes, small scale employment opportunities and new community facilities, whilst improving visual and environmental amenity¹³³.

¹²² Core Document 3 Policy C2

¹²³ Doc 8 Planning SOCG Paragraph 7.58 and Core Documents 21-23

¹²⁴ APP/12 Table 8.1 and Planning SOCG

¹²⁵ Summarised at ARR/13 Paragraph 92(2)

¹²⁶ APP/12 Table 8.2

¹²⁷ APP/12 Paragraph 8.18

¹²⁸ Doc 8 Planning SOCG Paragraphs 7.61/7.62

¹²⁹ APP/12 Annex 2 Pages 14/15

¹³⁰ HSE/21 Paragraph 11.2 referring to Core Doc 4

¹³¹ APP/12 Paragraph 8.9 and rebuttal Paragraph 9.2

¹³² The case given here is an edited version of the closing submissions at Doc LPA/11

¹³³ LPA/9 Paragraph 3.13

105. The appropriateness of the site for residential development has been recognised for many years¹³⁴. After extensive consultation¹³⁵, the site was allocated (2006) for mixed use development under LP policy D3.17. The policy and allocation was 'saved' in 2009.
106. The role of HSE is limited to providing evidence on what it considers to be safety issues. HSE have not dealt with such concerns in the context of other planning considerations¹³⁶. However the Council has carefully considered HSE'S arguments as part of the overall planning balance, in the context of development plan policy and relevant material planning considerations.

The approach of HSE

107. There are essentially four arguments from HSE. First, that it would not be sensible to put a substantial number of people in harm's way. Second, that the development would be harmful to the proper operation of emergency preparedness. Third, that the development would be contrary to principles of nuclear siting policy, and fourth that the development would breach population density criteria. There was also some limited criticism of the LP site allocation.
108. Even before consideration of the numerous substantial planning benefits, HSE's own assessment of the safety/risk arguments does not suggest that all areas in the vicinity of AWE should be development free zones¹³⁷.
109. HSE confirmed that the science and policy they relied on to support their opposition to the current application has remained exactly the same since at least 1997 when the AWE site received a licence¹³⁸. But HSE, when considering the Kestrel Mead proposal – some 46 dwellings located closer to AWE than the application site – chose not to object. In addition, in 2001 HSE considered that there was no basis for objecting on nuclear safety grounds for a large new food store on the current application site – and it was confirmed at the Inquiry that this would still be their position today¹³⁹. Until 2007 HSE did not even wish to be consulted on any development likely to involve less than 20 people¹⁴⁰.
110. HSE is not saying that if the proposal is built the Off Site Plan will not work. It is accepted as being fit for purpose and extendable¹⁴¹.
111. HSE has not ruled out the possibility of further facilities being allowed at AWE – even if such facilities were placed near existing housing outside the AWE boundary. That approach only makes sense if it is based on an understanding that the risks and consequences associated with such operations are not in fact so severe as to preclude the existence of residential development nearby.

¹³⁴ Doc 8 Planning SOCG Paragraph 3.1-3.3

¹³⁵ LPA/9 Paragraph 3.5

¹³⁶ Ms Jones and Dr Lacey in xx

¹³⁷ Dr Lacey in xx

¹³⁸ Dr Lacey in xx

¹³⁹ Dr Lacey in xx

¹⁴⁰ HSE/21 Appendix J1 Page J-2

¹⁴¹ HSE/18 Paragraph 8.3c and HSE/20 Second Rebuttal Paragraph 4.4

REPPIR, 'reasonably foreseeable' and risk

112. There are two related but distinct issues - the risk of an event taking place at all, and the nature of the hazard (i.e. if such an event takes place whether it is likely that a materially harmful radiation dose would be received by the public). HSE accepted that these must be evaluated as distinct issues, but HSE'S case was based solely on a consideration of consequences after an event rather than including the likelihood of an event¹⁴².
113. Potential confusion arises because the term 'radiation emergency' - which is central to the interpretation of the main REPPIR requirements - focuses on the consequences of an event and assumes that it is likely a member of the public will be exposed to ionising radiation in excess of any of the doses set out in the Regulations¹⁴³. The need for emergency plans derives from an assessment that a 'radiation emergency' is 'reasonably foreseeable', so these definitions are linked¹⁴⁴. The nature of the Regulations is that they deal with events that are highly unlikely to occur, and even if they did would be equally unlikely to cause any harm¹⁴⁵. The Regulations also require consideration of the consequences of an event based on the assumption that no health protection measures are taken for 24 hours afterwards¹⁴⁶.
114. Much of the difficulty arises due to HSE'S reliance on REPPIR, and an attempt to transpose it into a planning decision context. Overall, in the world of REPPIR, the assessment of consequences of potential events is not based on what will happen to prevent the event or any subsequent radiation exposure.
115. The REPPIR approach of 'reasonable foreseeability' does not assist in understanding the likelihood of the initial event. The HIRE has identified a major fire which engulfed a whole building as an event that might have consequences leading to the instigation of off-site emergency measures - but it indicates that such an event could only ever be considered a 'remote possibility'¹⁴⁷. Most accidents could not result in any release of radioactivity to the open environment and an accident that could cause this is 'extremely unlikely'¹⁴⁸.
116. It is essential to consider the likelihood of such an event ever taking place. It is not disputed that AWE operates in a way which is as safe as possible. The facilities on the site are carefully designed, built and operated in a manner that assures safe operation¹⁴⁹. There are numerous layers of protection on site which apply even before any off-site measures are contemplated¹⁵⁰.

¹⁴² Dr Lacey in xx

¹⁴³ Core Doc 34 Regulation 2(1)

¹⁴⁴ Core Doc 34 Regulations 7, 8, 9

¹⁴⁵ Core Doc 34 Paragraphs 97 and 102

¹⁴⁶ Core Doc 34 Regulation 2 (1) and Paragraph 103

¹⁴⁷ HSE/8 Section 6

¹⁴⁸ HSE/8 Sections 5 and 7

¹⁴⁹ HSE/8 Section 7

¹⁵⁰ HSE/8 Section 4

117. There is no dispute that such a residual risk is very low indeed and the possibility of a relevant event might properly be described as being extremely remote¹⁵¹.

The risk of harmful consequences

118. Even if such an extremely unlikely event takes place, the Off Site Plan states that "even the most serious incident that can be envisaged at....AWE....should not require the urgent evacuation of areas outside the site fence"¹⁵². Exceptionally "evacuation within the first twenty four hours might be necessary for areas up to 400 metres downwind from the site of the incident. Most of this area would likely be within the AWE site boundary"¹⁵³.
119. If such an event ever impacted on the application site, the REPPiR Handbook states that "there would be no immediate health effect caused by a release of radioactive material on members of the public following a serious incident at AWE. Staying indoors with the doors and windows closed would remove almost all the risk"¹⁵⁴. It was accepted by HSE that the contents of the Handbook – approved by the Off Site Working Group in the light of REPPiR requirements¹⁵⁵ – were 'not incorrect'¹⁵⁶.
120. In contrast HSE's position relies on various assumptions to paint a picture of what it describes as a 'reasonably foreseeable' dose of radioactive material to a member of the public - around 30mSv. This is said to be 'very hazardous to health'. Regrettable language was used which suggests that in a radiation emergency there would be serious radiological consequences to people in surrounding areas¹⁵⁷.
121. The 30mSv dose is what HSE uses to find unacceptable harm¹⁵⁸. But that dose is no more than the REPPiR Handbook confirms that a worker could legally receive in an 18 month period¹⁵⁹. The calculation of a 30mSv dose assumes no countermeasures were taken pursuant to the Off Site Plan – and HSE conceded that preventative measures would reduce the dose¹⁶⁰. It also assumes that persons would be downwind of any release. The dose could be significantly less if the wind was blowing the other way¹⁶¹.

Impact on emergency preparedness

122. HSE does not suggest that, if the development goes ahead, the Off Site Plan will not work, but rather that the development would provide additional challenges. However HSE accepts that the Off Site Plan is fit for purpose¹⁶² and fully REPPiR

¹⁵¹ APP/5 Page 1

¹⁵² Core Doc 33 Paragraph 3.6.3

¹⁵³ Core Doc 33 Paragraph 5.4.1

¹⁵⁴ APP/5 Page 5

¹⁵⁵ Doc 34 Regulation 16(1) and Schedule 9

¹⁵⁶ Dr Lacey in xx

¹⁵⁷ HSE/18 Paragraph 4.2

¹⁵⁸ Dr Lacey in xx

¹⁵⁹ APP/5 Page 8

¹⁶⁰ Dr Lacey in XX

¹⁶¹ Mr Robinson in xx

¹⁶² HSE/20 Rebuttal Paragraph 4.4

compliant¹⁶³. With that background, HSE'S case might have been assumed to be that the addition of some 268 persons would fundamentally undermine the emergency planning for the area even after any relevant review has taken place. But this cannot be the case because:

- An additional 268 persons represents only about a 2% increase in the population of the area in emergency planning terms.
- HSE has made it clear that they would not object to a development of a substantial supermarket, with a petrol station and over 200 car parking spaces on the site¹⁶⁴. That would obviously attract as many and probably more than 268 people onto the site.
- HSE confirmed that it was not their case that the additional persons would prevent the Off Site Plan from working¹⁶⁵.
- The Offsite Plan is already able to provide a basis for dealing with radiation emergencies that are not even reasonably foreseeable by being extendable¹⁶⁶.

123. The Benchmark Review of the Off Site Plan confirmed that it is a thorough piece of work which compares well with other plans that had been assessed¹⁶⁷.

124. The Off Site Plan has been regularly reviewed, tested and updated¹⁶⁸ as required by REPIR¹⁶⁹. It has very recently been tested and HSE confirmed that it met REPIR requirements¹⁷⁰. There is a statutory process in place which ensures that if, adaptation is necessary, the Off Site Plan would be reviewed and updated.

125. The Off Site Plan is only one of several layers of defence and must be viewed in that context. Defence in depth includes on site measures which are quite independent of the Plan and may themselves be adapted. In fact there will be no need for material change to the Off Site Plan or other arrangements if this proposal is allowed.

126. The Off Site Plan deliberately does not identify a maximum population above which it ceases to function, as it has a degree of flexibility already built in. That is because no one can say how many people are in the area at a given time – as large numbers of people regularly travel into and through the area on a daily basis. In that context an additional 268 persons will make no material difference to the Off Site Plan.

127. HSE's case appears to rest largely on the argument that the unpredictable nature of an emergency means that it is possible that countermeasures may not

¹⁶³ HSE 18 Paragraph 8.3(c)

¹⁶⁴ Dr Lacey in xx

¹⁶⁵ Dr Lacey in xx

¹⁶⁶ Core Doc 34 Paragraph 138

¹⁶⁷ LPA/5 Appendix A

¹⁶⁸ Last reviewed in July 2009, next review in Jan 2012. Tested in 2007 and Nov 2010.

¹⁶⁹ Core Doc 34 Regulation 10 and Paragraphs 250-291

¹⁷⁰ Mr Saunders in xx

work as planned¹⁷¹. But that would mean that even when one has in place off-site emergency planning, defence in depth measures on site, regular review and testing, all of which are capable of dealing with even more remote emergencies, there might still be some other reason that emergency planning is inadequate. That is not a helpful approach.

128. (Submissions were made on the representations from members of the Off Site Plan Working Group¹⁷².)

Nuclear siting 'policy'

129. There is no specific nuclear policy that directly applies to AWE, as it is almost unique as a facility and as a 'legacy' site.
130. However HSE contends that the development will contravene the Hansard 'policy' that seeks to preserve the 'general characteristics' of a nuclear site. This is not akin to development plan policy but, at best, provides no more than broad guidance and refers to general rather than specific characteristics¹⁷³. Furthermore HSE's publication '*The UK's fourth national report on compliance with the Convention on Nuclear Safety Obligations*' indicates that the issue of judgement in a planning context is whether there is significant and unacceptable population growth after a site is licensed¹⁷⁴.
131. In any case, HSE'S policy argument is entirely dependant on being able to demonstrate either that there will be harm to emergency preparedness or that the risk/consequences of an event are such that the development should not be allowed. The objective of such policy is to limit radiological consequences in the unlikely event of a nuclear incident and it is not based on any assessment of risk as to whether a nuclear incident would occur.
132. Such a policy, even if it applies, does not provide any strict limit on population numbers and does not preclude population growth.
133. The Council does not consider that the emerging national policy on nuclear power generation is relevant to this application, as that emerging policy relates to site selection considerations for new nuclear power stations.

Population levels and density criteria

134. Putting aside the debate as to the relevance of the policy and the criteria therein, and whether there was any breach of such criteria, the policy is, in any event, only intended to be used for guidance¹⁷⁵. The Hansard policy refers to 'other unquantifiable factors' which are to be taken into account. In this case such factors could no doubt include the benefits that would be delivered if the application is allowed.
135. This case should not be determined purely in relation to compliance or otherwise with criteria. Any breach of the criteria would not necessarily

¹⁷¹ HSE/18 Paragraph 4.3

¹⁷² Summarised at LPA/11 Paragraph 66

¹⁷³ HSE/21 Appendix A.2

¹⁷⁴ APP/9 Siting Considerations Paragraph 17.29

¹⁷⁵ HSE/21 Appendix A.2

demonstrate any harm. It was conceded by HSE that, for this point to have any weight, some harm would have to be shown¹⁷⁶.

136. There has been a consistent lack of objection by HSE to substantial developments even nearer to AWE in the period 2000-2006. No objection was raised to the LP site allocation despite several consultations with both HSE and AWE over a 2 year period. There had been no objection by HSE to any development before 2006. This lack of objection was despite the underlying science relating to radiation releases and the policy/criteria now relied upon by HSE being the same¹⁷⁷. There was no basis on which the Council or the Local Plan Inspector could have concluded there was any issue relating to nuclear safety that would preclude the allocation of the application site.
137. Even if the policy/criteria apply, the 'general characteristics' of the area around AWE has remained much the same since 1997 when the site was licensed, and would remain similar if the application were allowed:
- The population in the near vicinity of the site falling within the 3km DEPZ increased by only 57 people in the period 1997-2009, an average rate of less than 0.03% per annum¹⁷⁸.
 - Even if the application were allowed, the overall level of population increase since 1997 would not exceed that attributed to natural growth within the area¹⁷⁹.
 - Experienced Council officers¹⁸⁰ are of the view that the general characteristics of the area have remained the same since at least 1997 (and probably for years before) and would not be materially altered if the development were allowed.
138. HSE explained¹⁸¹ that it was only in late 2009 that it was appreciated that earlier work by WS Atkins (which had estimated population numbers in 1995) had significantly underestimated population numbers at that time¹⁸². HSE had, until late 2009, assumed that there had been much larger increases in population growth in the vicinity of AWE than in fact there had been.
139. That erroneous approach was adopted by HSE in the appeal relating to proposed development at Shyshack Lane¹⁸³, where HSE argument was based primarily on a perceived significant increase in population growth of around 300%. That Inspector mainly relied on this flawed argument when deciding to dismiss the appeal¹⁸⁴, and that appeal decision therefore provides no material support to HSE case.

¹⁷⁶ Dr Highton in xx

¹⁷⁷ Accepted by Dr Lacey and Dr Highton in xx

¹⁷⁸ LPA/7 Paragraphs 2.6 and Section 4

¹⁷⁹ LPA/7 Paragraph 5.2 and LPA/9 Appendix 4

¹⁸⁰ Mr Gosling and Ms Linihan

¹⁸¹ Dr Highton

¹⁸² Core Document 32 Appendix 16 to the 13 January 2010 for critique

¹⁸³ Doc 10

¹⁸⁴ Doc 10 Paragraphs 11-16

140. Such an incorrect approach had also been taken by HSE in their initial objection to the current application¹⁸⁵. This solely concerned the implications of such an assumed large percentage increase in population.
141. HSE appears to have been forced into an about turn in late 2009. HSE now argue that the semi urban criteria would have been breached even in 1997, so that there would be a clear breach now if the development were allowed. But:
- Given that HSE was aware of the existing population levels they nevertheless have not objected to a range of developments near AWE. HSE knew about general characteristics, density criteria and extant population levels yet did not think it right to object to other developments.
 - Even in the Shyshack Lane appeal it was not the existing levels of population that concerned HSE, but rather the incorrectly perceived huge percentage increase from 1997.
 - HSE'S argument is founded on a breach of semi urban density criteria (or other more restrictive criteria) and is not underpinned by any assessment of real on the ground harm, but is merely a set of calculations and a pure criteria based assessment of acceptability. That was clear at the Inquiry¹⁸⁶.
 - The true nature of HSE'S position¹⁸⁷ is that, even if there were no change in demographic circumstances and general characteristics as a result of this proposal, and even if the trends suggested that no population increase would occur in the future, HSE would still advise against on the basis of a breach of the criteria. That is not an approach that should be given any support.
 - HSE has not given any consideration to the other unquantifiable factors referred to in the Hansard policy - the assessment was devoid of any consideration of the benefits to Tadley.
142. The remaining HSE population increase argument¹⁸⁸ purported to show percentage increases from 1991 of around 15-17% in the sector including the application site. But these figures cannot be relied upon because they are based on average household sizes derived from the 2001 census data, when in fact average sizes have reduced materially since then¹⁸⁹. In addition, the relevant start date was not 1991, but should have been 1997 - any material increase in population had been in the period before 1997¹⁹⁰. Accordingly, the figures relied upon by HSE do not provide a realistic picture of population levels and were bound to significantly overestimate the percentage increase.
143. The Council has also clearly demonstrated that a level of net out migration from the area had occurred which would in fact exceed the capacity of the application site¹⁹¹.

¹⁸⁵ Core Doc 32 Page 19

¹⁸⁶ XX of Highton

¹⁸⁷ Dr Highton in xx

¹⁸⁸ HSE/21 Figures 13 & 14

¹⁸⁹ LPA/7 Section 5

¹⁹⁰ LPA/7 Paragraph 4.5 and Appendix 4

¹⁹¹ LPA/7 Paragraph 1.4

144. There was a late suggestion from HSE that there had been a change in the terms of the 'Safety Assessment Principles' from 1992¹⁹² to the current 2006 edition¹⁹³ which provided some support to their position on population growth. However, a comparison of the editions in fact reveals that the 2006 wording was less restrictive and which, in the context of off-site emergency response considerations, indicated there should be an allowance for growth.

The development plan and material planning considerations

145. The application complies with a range of relevant development plan policies¹⁹⁴.

146. A range of matters are secured by the Unilateral Undertaking¹⁹⁵ and the suggested conditions. The matters contained in the Undertaking comply with the terms of Regulation 122 of the CIL Regulations and the tests in C05/05.

147. The site is allocated for this type of development in the LP¹⁹⁶. The suggestion by HSE that the Council were aware of HSE's objection to the potential for housing development on the site is wrong. At the time of LP allocation in July 2006 HSE had not objected to any development in the DEPZ, and did not even wish to be consulted unless a development would generate 20 or more people¹⁹⁷.

148. No precedent will be set if permission is granted, due to the individual merits and the specific characteristics of the case.

149. The scheme includes substantial benefits¹⁹⁸, as recognised by local residents¹⁹⁹. In summary it provides:

- A redevelopment, that accords with development plan and national policy, of a vacant and derelict site close to the centre of Tadley. It would make efficient use of previously developed land with a well designed scheme in a sustainable location.
- A new facility to replace the existing scout hut²⁰⁰.
- Improvements to a public footpath link and highway contributions so as to integrate the development with Tadley, along with a Travel Plan²⁰¹.
- New areas of public open space, a Landscape Management Plan and contributions to relevant off-site improvements²⁰².
- The provision of market and affordable housing. The need for affordable housing is particularly acute in Tadley²⁰³ and would accord with policy²⁰⁴.

¹⁹² HSE/9 Paragraph 98

¹⁹³ APP/8 Siting Considerations Appendix 7 Paragraph 112

¹⁹⁴ Doc 8 Planning SOCG Section 7 and the evidence of Mr Bond in relation to the South East Plan

¹⁹⁵ Doc 9

¹⁹⁶ Core Doc 3 Policy D3.17

¹⁹⁷ HSE/21 Appendix J1 page J2

¹⁹⁸ LPA/9 especially paragraphs 3.7-3.15

¹⁹⁹ Core Doc 32 Letters of support in July 2009 report Page.15

²⁰⁰ Core Doc 3 Policy C8, LPA/10 paragraphs 3.12 – 3.21

²⁰¹ LPA/10, LPA/10 paragraphs 3.42 – 3.62

²⁰² Core Doc 3 Policy CS9, LPA /10 paragraphs 3.22 – 3.38

²⁰³ LPA/10 Paragraphs 3.1-3.11, LPA/10 paragraphs 3.39 – 3.41

- The affordable and general housing mix would accord with policy²⁰⁵.

In contrast a refusal of planning permission would send a negative signal to residents and businesses in the area and impact on the wellbeing of the local community²⁰⁶.

Housing land supply and delivery

150. The Council has a 5 year land supply of 3,331 dwellings. There was a debate with the Applicant about the deliverability of some of the sites, but the Council's evidence is clear and accurate²⁰⁷.
151. As a result of the Cala Homes decision the South East Plan continues to be part of the development plan. The starting point remains the development plan and the policies that relate to housing provision remain relevant.
152. The South East Plan requires the provision of 945 dwellings p.a.²⁰⁸. In development plan terms, there is a deficit in the five year deliverable supply of housing land and the application should therefore be considered favourably. The exact extent of the deficit depends upon which scenario is chosen²⁰⁹.
153. The Council is undertaking consultation with local communities regarding future housing provision. This will inform a new housing figure to be contained in a pre-submission Core Strategy (summer 2011).
154. The Council has not adopted an 'interim' figure to use when the South East Plan is abolished. A proposed interim figure of 740 dwellings p.a. was to be considered on 11 November 2010 but this was not done in the light of the Cala Homes RSS judgement. Even if the 740 dwellings p.a. figure were used, the Council would only just meet the 5 year housing land supply requirement²¹⁰. Even in that scenario, the application site would make an important contribution.
155. The Council do not consider that emerging policy is of relevance to this application²¹¹.

Planning balance

156. The proposal complies with relevant development plan policy and provides a range of material benefits. HSE'S concerns should be considered alongside other material considerations.
157. The evidence demonstrates that the risk of any radiation 'event' taking place at all is minute. Even in the worst imaginable scenario there is realistically no

²⁰⁴ Core Doc 3 Policy C2 and Core Doc 8, LPA/10 paragraphs 3.1 – 3.11

²⁰⁵ Core Doc 8 and Core Doc 3 Policies C2 and C3

²⁰⁶ LPA/9 Paragraph 3.13

²⁰⁷ LPA/10 Boundary Hall Note Appendix 1

²⁰⁸ Core Doc 6 Policies H1 (Table H1b), H2, H3, and WCBV3

²⁰⁹ Various scenarios are set out in APP/12 Annex 2 (Using the Applicant's supply figure of 2,683 rather than the Council's 3,331)

²¹⁰ 5.3 years supply if Boundary Hall (100 units) included. Without Boundary Hall, 5.1 years supply – with a 76 unit surplus.

²¹¹ Details at LPA/11 Paragraph 115

prospect of any immediate health risks from an incident and, assuming safety measures are followed, any long term risk would be extremely small.

158. The Off Site Plan is clearly fit for purpose and there is no substantiated evidence to indicate that it will be materially prejudiced or compromised by the scheme.
159. The development would preserve the general characteristics of the population around AWE, whilst securing material improvements for Tadley.
160. Even when HSE'S concerns are considered in isolation, they do not provide a sensible or realistic basis upon which to reject the development.
161. The release of the site is entirely in accordance with the development plan and national policy and will provide material and substantial benefits that are much needed in Tadley.

THE CASE FOR SUPPORTERS WHO APPEARED AT THE INQUIRY

162. Mrs M Weston has been a local resident for 15 years. She pointed out that AWE has been there for around 60 years, during which period Tadley had grown and become a town. No objection has been raised to housing development before – including the recent housing at Kestrel Mead. There have been very few minor safety incidents over the years, and it would be unfair to resist housing development.
163. Mr B Spray is the Chairman of Tadley Scout Group. The Group, which is one of the largest in Hampshire, has been waiting 17 years to relocate. The group encompasses 100 Scouts and 50 in a group of older members. The building on the site is long past its sell by date, and the Group has a pressing need for new accommodation so they can provide good facilities for the Group and others who would be interested in using the new building. The Applicant's proposal is a first class scheme. Mr Spray has lived in Tadley since 1954, and his family would like to do the same, but cannot afford local house prices. Many local employees need affordable housing.
164. Mr A Jeffrey has lived in Tadley for 53 years and has worked at AWE for 44 years. There is a real need for low cost housing in the area. There has never been an airborne release from AWE and, even if there were, the prevailing southwest winds would disperse any plume away from most residents.

THE CASE FOR THE HEALTH AND SAFETY EXECUTIVE²¹²

165. HSE objects in the strongest terms to the proposal. Its reasons are based on first principles related to the effect on human health and because the proposal would breach longstanding Government policy on the siting of housing in proximity to nuclear facilities.
166. There are four parts to the objection:
 - It would be incorrect as a matter of principle to place a significant new population in harm's way given the consequences of a reasonably foreseeable nuclear emergency. This, by itself, is sufficient to mean that permission should not be granted.

²¹² The case given here is an edited version of the closing submissions at HSE/23

- HSE and the vast majority of the other multi-agency emergency planners and responders take the view that the proposal would significantly harm a safe and efficient emergency response in the event of a reasonably foreseeable incident.
- The proposal would fail to preserve the characteristics of the site when looked at in a public safety context. The introduction of a significant new community so close to the boundary of an establishment in an area which, for historic pre-regulation reasons, is already heavily populated cannot correctly be characterised as “preservation”.
- In terms of demographic criteria, even the least restrictive semi-urban criterion is significantly breached in the vicinity of the proposed development. This criterion is a conservative benchmark, as the activities at AWE give rise to a reasonable likelihood of more significant consequences than that for which the semi-urban criterion was designed.

167. The strength of HSE’s objection can be judged in several ways:

- This is the first application which HSE’s Nuclear Directorate has requested be called-in and the first Inquiry which it has felt it necessary to attend. HSE has had specific regard to the advice contained in C04/00. It appeared at the Inquiry because it believes the case to be one of exceptional concern and one where important policy or safety issues are at stake.
- The Nuclear Directorate is internationally renowned as one of the world’s foremost nuclear regulators, and has chosen to be represented by its most senior and qualified members of staff. The Inquiry heard from those who have been instrumental in forming the relevant policy, who in a national emergency would liaise directly with Ministers, and from internationally renowned experts in the field of radiological protection.

168. Set against this is the case advanced by a housing developer who has had the misfortune of purchasing the freehold of the site in the absence of any knowledge of the consequences of the existence of an atomic weapons establishment on its doorstep. The developer has been forced to construct a retrospective argument in defence of the application.

169. HSE’S case is based around a series of propositions.

Proposition 1. AWE has a large inventory of radioactive isotopes which are associated with the work it undertakes in the national interest in the maintenance of an independent nuclear deterrent.

170. AWE has been central to the defence of the United Kingdom for more than 50 years. It developed as a nuclear facility in the shadow of the Cold War. As a Ministry of Defence establishment operating in that international climate it grew outside normal land use planning and health and safety systems.

171. Today, it handles high explosives and radioactive substances required for the production of nuclear warheads. Such radioactive substances include plutonium, tritium and enriched uranium. Plutonium is the most hazardous of these isotopes but all are dangerous.

172. The exact inventory at AWE and its location within the site is classified. But it is public knowledge that up to 7.6 tonnes of plutonium are capable of being stored on the site at any one time.
173. Not all of the radioactive material is contained within the inner security cordon. For operational and historic reasons, there are significant facilities outside the inner fence which have their own particular security provisions. The exact location of these facilities is mostly classified, but at least one significant facility lies to the south of the inner security fence and thus closer to the application site.
174. There is also a requirement for the transport of radioactive material across the site. Such transit forms a component of the reasonably foreseeable hazard on the site²¹³.
175. The continued future use of AWE for purposes associated with the maintenance of a nuclear deterrent is clear, with the recent Anglo-French accord on research, development and construction of the nuclear deterrent.

Proposition 2. Significant radiation emergencies caused by activities at AWE are reasonably foreseeable. Such reasonably foreseeable incidents include, but are not limited to, incidents instigated by fire.

176. Parliament has created a regulatory regime which seeks to protect members of the public who live in the vicinity of nuclear facilities. "*The Radiation (Emergency Preparedness and Public Information) Regulations 2001*" (REPPPIR), seek to produce a comprehensive and proportionate response to the protection of the public from the threat of accidental nuclear release.
177. REPPPIR requires all potential accidents and their consequences to be identified by AWE. This identification of hazard and risk is then scrutinised by HSE.
178. The Regulations require the system to identify reasonably foreseeable radiation emergencies and to prepare for such events by way of off-site emergency arrangements. A reasonably foreseeable radiological emergency is one which is "less than likely" but which is still "realistically possible". Unlike other areas of public protection, Parliament has deliberately chosen not to identify the nature of the risk by reference to a quantitative descriptor. It is not productive to seek to reintroduce a quantitative descriptor into the debate (e.g. 1 in 1,000) when statute has deliberately avoided that approach.
179. Once a reasonably foreseeable radiation emergency is identified, HSE has the role of identifying a Detailed Emergency Preparedness Zone (DEPZ) within which arrangements are required to be put into effect. The furthest edge of this area is defined by the definition of a radiation emergency and is set with reference to a 5mSv radiation dose.
180. AWE has produced a Hazard Identification and Risk Evaluation assessment (HIRE), which seeks to identify all potential hazards of an escape of material beyond the AWE boundary, and to identify those hazards which are reasonably foreseeable. The redacted HIRE²¹⁴ establishes that reasonably foreseeable

²¹³ Redacted HIRE

²¹⁴ HSE/8

emergencies could arise from fire, human error, drops of material in transit and other accidents. The HIRE has been considered by HSE, which has consistently concluded since licensing that there are reasonably foreseeable radiation emergencies which could be caused by activities at AWE. At no time has there been any challenge to the conclusion that there is the prospect of a reasonably foreseeable radiation emergency at AWE, nor is there any good reason to doubt the accuracy of the analysis done pursuant to the statutory machinery.

181. It would be irrational for the planning system to adopt a different approach to determining the risk of an emergency from REPPIR²¹⁵. Despite the varying description used by others of the extent of risk ('small', 'remote' etc), the overall conclusion remains that there is the potential for a reasonably foreseeable emergency at AWE. Neither does the fact that the site is operating at or towards ALARP alter the position. Notwithstanding ALARP operating procedures a reasonably foreseeable emergency is identified through the HIRE process.
182. The test of reasonable foreseeability is the correct one to be considered in determining the appropriateness of granting permission for new development in the vicinity of AWE.

Proposition 3. The reasonably foreseeable consequence of such an accident is the delivery of a 5mSv dose of radiation at a radius of 3km from the nominal centre of the site - this has resulted in the setting of a DEPZ of 3 km for AWE. The dose received by those closer to the site would be higher and it is accepted that at 1km the effective dose could be in the region of 30mSv.

183. A radiation emergency is defined in REPPIR by reference to a dose intake of 5mSv. At all times since licensing the 5mSv contour has been set at 3 km from a notional point towards the centre of AWE.
184. The fact that other smaller DEPZ zones have been considered, but rejected, over the years only strengthens the statutory position that has been reached. The DEPZ has been properly reviewed.
185. Radiation consequences attenuate with distance - the closer a person is to the source of release, the higher the dose he is likely to receive. It follows (applying the Gaussian Plume model to the atmospheric dispersion of released radioactive particulates) that, if it is reasonably foreseeable that at 3km the dose is 5mSv, then at 1km the reasonably foreseeable dose would be c.30mSv. There is no challenge to this calculation.
186. This is a most significant dose - in excess of 30 times the statutory limit. This was not addressed in the Applicant's Environmental Statement or the evidence. This is a hugely significant omission.

Proposition 4. Receipt of such doses would be dangerous and harmful.

187. There is no serious argument but that this level of dose (30mSv) is significantly harmful and should be avoided. It would constitute putting people unnecessarily in harm's way. The evidence from the UK's foremost analyst of

²¹⁵ Accepted by Mr Bond in xx

the aetiological impact of radiological doses was quite clear that such doses would be unacceptably harmful and would lead to an increased risk of cancer²¹⁶. On this ground alone it is clear that planning permission should be refused.

188. It is true that in the early days of regulation, HSE did not object to residential development on a smaller scale at Falcon Fields/Kestrel Mead, which is located a similar distance from the fence. But this failure to object was an error - which should not be repeated in this case²¹⁷.
189. The Applicant did not take a seriously different approach on the harmful dose issue. It was accepted that it was "no part of [their] case that doses in the tens of mSvs were not unacceptably harmful". It was also agreed that such doses, which would be experienced by residents of the proposed development, were "significant" if not "catastrophic", and that all residents of the new development would be right to be "legitimately concerned" about such consequences²¹⁸.
190. REPPIR regulations make it clear that for the first 24 hours after a release, an assumption should be made that persons within the DEPZ are outdoors and would be unable to achieve the mitigation afforded by shelter. The reasoning is clear – "the effectiveness of urgent early health protection countermeasures such as sheltering... is hard to guarantee..."²¹⁹. The logic behind this assumption clearly applies with more force the closer a potential recipient of dose is to the point of release.
191. Even for those who are able to shelter, the impact of a release will still be likely to significantly exceed 10mSv, which all experts agree is a harmful dose which should be avoided if possible.

Proposition 5. Any suggestion that the use of AWE is sufficiently benign as to mean that there is no reason to limit residential development anywhere near its boundary is incorrect, uninformed and unsafe.

192. The Applicant suggests that AWE is a relatively benign use, akin to a research reactor in a university laboratory. There is no support for this assertion at all, which is made without knowledge of the nature, extent or actual inventory of AWE.
193. Research reactors are also the subject of REPPIR and the requirement to define a DEPZ - if they carry sufficient inventory and if there is (following a HIRE assessment) a reasonably foreseeable risk of a radiation emergency. But neither of the research reactors presently operating in the UK has a DEPZ.
194. The greater the consequences of a reasonably foreseeable radiation emergency, the larger would be the DEPZ²²⁰. The Applicant's assessment of the risk at AWE (which is based on absence of knowledge) is thus wholly inconsistent with the entire REPPIR regime.

²¹⁶ Dr Robinson

²¹⁷ Accepted by Dr Lacey, Mr Robinson, Dr Highton, Mr Saunders

²¹⁸ Dr Thorne in xx

²¹⁹ Core Doc 34 Paragraphs 57/58

²²⁰ Accepted by Mr Dillon in xx

195. The Secretary of State is entitled to assume that, in the absence of any evidence to the contrary, the REPPIR regime operates efficiently across the UK and at AWE. HSE²²¹ has actual knowledge of the processes at AWE, and can confirm that the nature of the operations which have led to a 3 km DEPZ are not benign or akin to a research reactor.
196. The Applicant is content to build in the shadow of a facility which they say is akin to a research reactor. But they have wholly failed to consider the true magnitude of the reasonably foreseeable radiation emergency and its consequences for the future residents.

Proposition 6. The nature and extent of the consequence of a reasonably foreseeable radiation emergency at the application site (which is just c.200m away from the AWE fence) is such that it would be inconsistent with the precautionary principle and with good planning to allow significant new residential dwellings to be sited there.

197. All parties with the relevant technical knowledge of the processes at AWE take the view that such a REPPIR-type emergency is reasonably foreseeable. The only two parties with the entire knowledge of what processes occur and where they are on the site (HSE and AWE) both oppose this development as a matter of principle.
198. Where the risk can and has been identified by a relevant mechanism as being realistically possible, and where the consequences are so potentially harmful to members of the public, it would be contrary to good planning to place significant additional residents in harm's way.
199. The precautionary principle operates where knowledge is uncertain and no mechanism exists to render the knowledge certain. In this case, even in the absence of the REPPIR regime, there would be clear and compelling grounds for refusing permission on purely precautionary grounds. However the REPPIR process takes the assessment of risk beyond uncertainty, as the radiation emergency is reasonably foreseeable. The state of knowledge is well beyond that required to invoke the precautionary approach. On the basis of known facts and risk assessments, the development should not proceed.
200. The fact that there is already housing in the area is a function of the particular history of AWE and is not an argument to allow further development.

Proposition 7. For these reasons, the grant of planning permission for over 250 persons to live within 200 metres of the AWE fence is not appropriate on public health and safety grounds.

Proposition 8. HSE and the vast majority of the emergency planners and responders take the further view that significant development of the type proposed would be harmful to the proper operation of emergency preparedness for existing and potential future residents of the DEPZ.

²²¹ Mr Saunders

201. REPIR requires an emergency plan to be in place in relation to AWE. This has been done. The lead authority responsible for that plan is West Berkshire Council, which has the statutory responsibility for ensuring that in any reasonably foreseeable radiation emergency the exposure of persons to ionising radiation is restricted. It opposes the application and this is a weighty consideration²²².
202. This is not an isolated concern. Hampshire County Council emergency planners object to the grant of permission, as do Hampshire Constabulary, the Royal Berkshire Ambulance Trust and others. In a field where a multi-agency response is critical to the proper operation of an off-site plan, the fact that the vast majority of the key responders have objected is hugely telling.
203. The issue is not whether, following any grant of permission, the Off Site Plan can be retained and operated. As a matter of law, it would have to be put in place. Rather the questions are whether the proposal would lead to an inappropriate increase in the potential exposure of persons to ionising radiation.
204. There would be an inevitable increase in the exposure of persons to ionising radiation and significantly increased strain on the emergency services. It would give rise to additional potential for evacuation. There can be no accurate scientific analysis of the consequences of increasing the number of residents very close to a potential release of radioactivity. Human reactions to emergency situations are impossible to predict with accuracy.
205. At c.1 km from the centre of the DEPZ, there is the potential for a dose in excess of 30mSv to be received. Radiation at that level triggers the requirement for the consideration of evacuation applying the NRPB guidance²²³. At this level of exposure the potential for evacuation would have to be very much in the minds of responders.
206. The REPIR assessment which gives rise to a potential for a 30msv dose assumes given wind and atmospheric conditions²²⁴. However the position could be up to seven times worse if atmospheric conditions were less favourable²²⁵, and this would make the potential for evacuation even greater.
207. The Off Site Plan²²⁶ expresses the general view that there will normally be no need for the urgent evacuation of areas outside AWE. But this applies throughout the DEPZ and is not meant to be absolute. There is the potential for subsequent evacuation for clean up work²²⁷.
208. The Off Site Plan also deals with self-evacuation²²⁸. The likelihood of this happening increases with proximity to the perceived point of danger²²⁹. Self evidently this would bring the public into contact with the full outdoor dose, and

²²² Doc 2

²²³ Issued by the Health Protection Agency

²²⁴ Pasqual Category D

²²⁵ Dr Thorne in xx

²²⁶ Core Doc 33

²²⁷ Core Doc 33 Paragraph 5.5.1

²²⁸ Core Doc 33 Paragraph 5.4.2 b

²²⁹ Mr Dillon in xx

should not be countenanced. It also has the potential to result in traffic congestion adjacent to the AWE entrance.

209. The proximity of the site to AWE means that any plume release would reach the site before any meaningful warning could be given to residents. The Applicant avoided answering this question, but HSE²³⁰ advised that it would be a matter of only 3-5 minutes between the event and the plume reaching the application site. In that time, it is unlikely that all (or even a significant number) of residents would be sufficiently warned of the release to get themselves and their family indoors and to secure doors and windows.
210. It is also clear that the Off Site Plan envisages the potential for emergency responders to have to enter the DEPZ close to AWE. The proposal would mean that emergency responders would be more likely to have to enter an area where dose levels were significantly above safe levels. The emergency services should not be put at such additional risk. In addition, there is no guarantee that emergency responders would feel it appropriate to put themselves at risk – the Applicant confirmed that neither the Hampshire nor the Thames Valley Police have specifically trained nuclear police officers. The decision as to whether to take the risk would be a judgement for individual officers²³¹.

Proposition 9. The proposal breaches longstanding government siting policy on the location of significant new development near to nuclear facilities.

211. The most recent and the clearest exposition of national policy is the Fourth National Report on Compliance with the Convention on Nuclear Safety Obligations²³². The following elements of the policy are clear:
- It is the characteristics of the licensed site which are relevant to the consideration.
 - It is the size, nature and, importantly, the distribution of development which is relevant to a consideration of the merits of a proposal.
 - It is for HSE to consider these matters.
 - The policy was initially written for nuclear reactor sites, but the Forward to the Fourth National Report makes it clear that the same policy considerations apply to non-convention sites such as AWE (though it must be the case that the policy should be applied with care to such sites to reflect their differing contexts).
212. This policy forms part of a Defence in Depth philosophy which applies to all elements of the relationship of nuclear facilities with the general public. It is important to note that locational policy is the only non-engineered element of this defence in depth policy. AWE is a legacy site where the earlier stages of defence in depth could not have been brought to bear. This places more emphasis on the need for the non-engineered part of the policy to be robust.

²³⁰ Mr Robinson in chief

²³¹ APP/10 Paragraph 3.12

²³² APP/9 Siting Considerations Appendix 8 Paragraph 7.28

213. Greater weight is given to developments which are very close to a nuclear site – this is reflected in the weightings which are applied to populations close to the site as part of the demographic criteria. Increasing the resident population very close to a nuclear site is hardly ever likely to be consistent with the aim of the policy. The Council and the Applicant have sought to portray this element of the policy in a way which is inconsistent with its proper construction – they have characterised the development as no more than ‘infill’ and have argued that the overall character of the area would not have altered between licensing and now.
214. But their approach is not required by the policy. It is to miss the purpose of the policy as part of the defence in depth concept:
- It is the characteristics of the site in safety terms that need to be considered. The policy does not refer to an infill test, but sets a test of health and safety.
 - The Applicant’s approach fails to give appropriate weight to the proximity of the development to the potential source of release.
 - This approach pays no attention to the dose implications for those at the application site, or the reasonably foreseeable risk of receiving a potentially dangerous dose of ionising radiation.
215. The proposal would introduce in excess of 250 persons within 1km of the nominal centre of the DEPZ. These people would potentially receive in excess of 30 times the statutory dose limit of radiation in the event of a reasonably foreseeable emergency. It is the role of REPPIR to restrict such exposure.
216. The proposal is in a sector of the DEPZ which is already well beyond even the least restrictive demographic criteria for nuclear facilities. It follows that significant net additions to the population are likely to be even less acceptable. If the relevant sector already has too many people to comply with the least restrictive criteria, it is a paradox to argue that because there are already so many residents you can allow more.
217. The addition of fewer than 10 persons on a site further away from the centre of the DEPZ was sufficient to persuade an Inspector that there had been a significant breach of this policy²³³. That decision and other material considerations led to a clear and unambiguous officer’s recommendation to refuse planning permission for the current application, on the basis that the relevant policy was breached. The Council’s shift in position is wholly inexplicable, and reliance upon the population count error included in the Shyshack Lane appeal decision is not a valid explanation, as this was known at the time of the recommendation to refuse planning permission for the current proposal.

Proposition 10. The proposed development is not even able to pass the least restrictive population density criterion applicable to nuclear facilities.

218. The development would result in a clear breach of even the least restrictive demographic criteria applicable to nuclear facilities. Three demographic criteria exist to guide the siting of nuclear facilities - semi-urban, remote and new build.

²³³ Doc 10

Of the three, the semi-urban criterion is the least restrictive - that is, it allows a greater population density closer to the facility.

219. The semi-urban criterion is associated with the risks and hazards that might be reasonably foreseeable in the context of an AGR reactor. DEPZs for AGRs are characteristically smaller than that at AWE, because the hazard at AWE has been calculated to be higher than for a reasonably foreseeable emergency at an AGR. This is due to the nature of the inventory and the operations at AWE.
220. When comparing the nature and consequence of hazard, it is appropriate to consider the identified reasonably foreseeable risks at various nuclear facilities²³⁴. But part of the Applicant's case ignores this logic and concludes that an AGR is more hazardous than AWE with reference to the worst case potential accident. This is a wholly misleading comparison since the risk of a worse case nuclear reactor accident is infinitesimally smaller than the reasonably foreseeable emergency at AWE. In addition the Applicant's case is not, and cannot be, based on any proper understanding of the operations at AWE.
221. This approach to the ranking of hazard, based on the size of the respective DEPZs for an AGR and AWE, is not new. It was raised at an early stage by HSE and was part of HSE's evidence at the Shyshack Lane appeal. The identification of AWE as potentially more hazardous than the AGRs is also further reflected by the fact that, at licensing, it was thought appropriate to treat AWE as an even more sensitive "remote" site. Thus the REPPiR regime works on the basis that a reasonably foreseeable radiation emergency would have greater consequences at AWE than a reasonably foreseeable incident at an AGR.
222. Since AWE is a legacy site the normal siting considerations (including the surrounding population characteristics) did not occur when it was established. Therefore control of further intensification of the surrounding population is even more important.
223. HSE is the only party to accurately apply the semi-urban criterion. The Applicant does not believe that the criterion is even applicable and does not apply it. The Applicant's technical case consisted almost entirely of an attack on this part of HSE's case.
224. When the criterion is applied correctly, it is clear that, as a result of the existing population, the semi-urban criterion is already breached by a significant margin²³⁵. In general terms the further south within the site is the assessment position, the greater the breach.
225. This breach is clear even when only the night-time residents are considered. Daytime occupiers and those passing through the area should be added to the calculation, and this would obviously worsen the situation.
226. The Applicant suggested that HSE had 'moved the goal posts' by changing from a single point of origin approach to a multi origin assessment when considering whether the semi urban criterion had been breached. This suggestion was clearly based on a misunderstanding of the information provided to the

²³⁴ Accepted by Mr Bond in xx

²³⁵ HSE/21 Paragraph 63 onwards, Figures 10 and 11 and Appendix K

Applicant in good faith by HSE. HSE has always considered multi origin analysis. In seeking to explain this methodology to the Applicant, HSE provided them with a data set for one assessment square, but only as representative of the methodology adopted.

227. As to whether a multi origin approach is appropriate:

- Transfers of material across the AWE site are an important element in the HIRE²³⁶. These transfers are not point sources and cannot be accurately modelled as such.
- The exact location of every facility which is relevant to the calculation of the DEPZ for AWE is not known and is not knowable. An accurate fixed point analysis is not possible, as it would be for a fixed reactor site.
- The future development plans at AWE for the lifetime of the proposed residential development are not knowable. The entire site is a nuclear licensed site.
- HSE does not, in any event, need to rely on outlying areas of the site to establish a clear breach of the semi-urban criterion. Neither does it need to assume that all squares are potential sources of release. This is because all squares from the central area and southwards give rise to a clear breach. This is particularly relevant because a significant nuclear facility (Pegasus) is to be placed on the squares which show a clear breach of the criteria.
- The use of a single point 'average' location against which to test compliance with the criteria as suggested by the Applicant is flawed. It spreads the potential location of a release and distorts the true position by including large areas to the north of AWE which have no nuclear facilities in them.

228. The Applicant does not believe that the semi-urban criterion is relevant and considers that an alternative criterion should be adopted. However no alternative criterion was produced, but instead a manipulation was performed on the weighted calculation which defines the semi-urban criterion²³⁷. But this is a meaningless exercise because it removes any meaningful judgmental criterion from the equation. The remodelled equation could be used to justify any increase in population close to AWE, however large, because what has been done is to remove any limiting criteria from the equation. This is entirely inconsistent with the policy to seek to maintain the general characteristics of the site, which is an approach accepted by the Applicant²³⁸.

229. Finally, the Applicant put forward the approach that if AWE wish to develop further areas in future within their licensed site for nuclear purposes, and this is held to be inconsistent with adjacent residential development, then this should limit the nuclear requirements of AWE. This potential fettering of a nationally important licensed nuclear site has no policy support and reemphasises the inappropriateness of the close juxtaposition of uses.

²³⁶ HSE/8

²³⁷ APP/9 Section 5.2

²³⁸ APP/9 Section 5 and Dr Thorne in xx

230. The Applicant submitted two rebuttals²³⁹ following the interim visit to AWE and in relation to the AWE Context Plan – included in the Pegasus application documents. The Applicant sought to establish (at least initially) that all relevant nuclear facilities were contained within the inner security fence, and that within or adjacent to that fence the areas which were in excess of the semi-urban criteria were either unused or used as a car park. However these rebuttals were seriously flawed:

- Not all nuclear facilities are within the inner security fence²⁴⁰. There is at least one significant facility south of this security fence – closer to the application site – as noted in the letter from AWE giving additional details.
- There was a basic error in the assertion that a number of squares which seemed to be in breach of the semi-urban criterion could be ignored because the breach was generated from within the site. This was accepted as a mistake by the Applicant. The squares which were suggested could be ignored were in fact in breach of the semi-urban criterion not only in one rotational sector but for the entire site - a much more serious matter since it involves breaches in at least 3 sectors.
- There was an error in the suggestion that some squares in breach of the criterion could be disregarded because they were open space or car park. It is clear from the Pegasus application documents (and accepted in the Applicant's second rebuttal) that these locations are the site of an important enriched uranium facility. This facility will make a significant contribution to any new DEPZ and is likely to result in the nominal centre of the DEPZ moving further to the south towards the application site²⁴¹.

231. Various points about population growth/change were made by the Applicant and the Council, namely:

- It was suggested that the population of the DEPZ had remained broadly the same since licensing.

The Council's assessment²⁴² sought to establish that there has been little change in the overall population of the DEPZ since licensing. This may or may not be the case but is of little relevance.

The DEPZ has a radius of 3km and is a huge area. There will inevitably be shifts in population within such an area. The issue is not the overall population, as emergency responders deal with sectors which reflect the likely path of any release, but the disposition of the population within the DEPZ. This is especially important as there is significant additional weighting afforded to those who live closest to the potential release to reflect their significantly enhanced prospect of a higher dose.

The Council's data does not help with this issue since their figures are all DEPZ wide figures. In contrast HSE's figures establish a clear trend for an

²³⁹ APP/9

²⁴⁰ Mr Saunders in Chief and AWE letter appended to HSE/20 Second Rebuttal

²⁴¹ Unchallenged evidence of Mr Saunders

²⁴² LPA/7

increase in population close to the site which is partly cancelled out by a decrease in population further from the site²⁴³.

- It was suggested that, in practice, an allowance for natural growth had been included in previous cases involving nuclear power stations and the semi-urban criterion.

There is no justification in the documents to support further growth in excess of the semi-urban criterion – it is not part of the stated Hansard policy for semi-urban sites²⁴⁴. The Council asserted that it is something which emerged as a matter of custom and practice, but in those cases (especially at Connah's Quay²⁴⁵) the actual ceilings for population including natural growth were set significantly below the semi-urban criterion. It was always accepted that the semi-urban criterion was a ceiling which included the potential for natural growth²⁴⁶. Additional allowance for natural growth would be perverse as it would mean that the greater the breach of the criterion, the more additional breach would be accepted to accommodate natural growth.

- The Applicant sought to establish that other population sectors have higher populations than the sector including the application site²⁴⁷. But the sectors chosen by the Applicant were DEPZ sectors and not the Hansard population sectors, and the Applicant was not even aware of the important difference for the purposes of the demographic calculation. Furthermore the analysis had not been the subject of an appropriate rotation as required by the criteria. In addition, no weighting had been applied to reflect proximity, and the Applicant was not even aware that weighting factors (to represent enhanced doses) even existed. In the Applicant's approach a person living at the extremity of the DEPZ was given exactly the same weight as one living by the fence.

Proposition 11. No appropriate consideration of the public safety issues was undertaken in relation to the historic allocation of the site. HSE cannot see how the site could have reasonably been allocated if such consideration had been given.

232. The original identification of the site as being potentially suitable for housing came by way of an early Planning Brief. Unsurprisingly, given the age of the Brief, there is no evidence that the proximity of the site to AWE was taken into account.
233. At the time of the LP allocation neither the issue of the relationship to AWE or the consequences of that relationship were considered. There was nothing in the Inspector's report on the LP which came close to considering the current issues.
234. The LP allocation only continues to exist by reason of a statutory saving by the Secretary of State. By that stage, it would have been clear to the Council that

²⁴³ HSE/21 Figure 13

²⁴⁴ HSE/21 Appendix A2

²⁴⁵ HSE/21 Appendix B1

²⁴⁶ Dr Highton unchallenged evidence

²⁴⁷ Plans submitted by Mr Brookes APP/11

HSE had significant objections to housing development on the application site. The Council was under a duty when asking the Secretary of State to save the allocation to highlight these concerns, but it did not.

235. It is clear that the important issue of the public safety of those who might live on the site has not been considered in relation to the LP allocation.
236. For these reasons, if the Secretary of State believes there is validity to the concerns expressed by HSE, then very little weight can be given to an allocation where such concerns were not even considered during the process²⁴⁸. The existence of an allocation which did not consider the issue of public safety cannot justify the grant of a consent which would place people in harm's way.
237. The Applicant also relies upon the existence of a general and affordable housing need and other planning matters to off-set any harm caused by health and safety issues. HSE would find it surprising if the wish to provide housing could come close to justifying the risks to health associated with putting people in those houses. This would be the case even if it were found that there were an absence of a 5 year housing supply in area.
238. The Applicant places significant weight upon the regional housing requirement contained in the South East Plan. But in the real world the Secretary of State is not likely to place great weight on these regional housing figures. This is particularly the case where the Council has consistently taken the formal (and local) view that the present South East Plan figures represent an over-requirement in housing terms. The Secretary of State would thus be perfectly entitled to take the view that limited weight ought to be given to the South East Plan requirement.
239. In any event, the Council would, if planning permission is refused, be obliged through its emerging development plan process to meet any requirement for housing or affordable housing in the usual way. There is no evidence that the local planning process would be unable to meet any future housing requirement.

Proposition 12. The nature of the harm associated with the proposal is such that HSE strongly adheres to its "Advise Against" stance on the issue of the grant of planning permission in this case.

240. The grant of permission would put significant numbers of people unnecessarily in harm's way, would inappropriately harm the ability of the emergency responders to undertake their statutory duties, and would breach Government policy and population criteria on the siting of development in close proximity to nuclear facilities.

WRITTEN REPRESENTATIONS²⁴⁹

241. The AWE Off Site Plan²⁵⁰ has been prepared by a Working Group, chaired by West Berkshire Council and comprising representatives of a range of organisations – including HSE. In view of the importance of the Off Site Plan to

²⁴⁸ Accepted by Mr Bond in xx

²⁴⁹ Written representations sent to the Council before the call-in are summarised in the Council's Committee reports (Doc 32) and the full text is on the file

²⁵⁰ Core Doc 33

the health issue, the representations below have been grouped in relation to membership of the Working Group.

Organisations who are members of the Off Site Plan Working Group

242. West Berkshire Council opposes the application on the basis of the impact on the Off Site Plan²⁵¹. If the application were approved, the Council notes that the responding agencies would have to review their processes and the Off Site Plan, at potentially substantial additional cost.
243. AWE object on the grounds of the effect on the Off Site Plan. AWE notes that the development is of a significant scale within the DEPZ, some 500 metres from AWE's southern boundary. The development would lead to congestion on the roads which may have an impact on the ability of emergency services to gain access to AWE²⁵².
244. Thames Valley Police state that they have no specific objection to the planning application. However they express concern that any additional houses within the DEPZ would increase the resources needed to meet the requirements of the Off Site Plan. The additional population would increase traffic out of the area in the event of an emergency, and this could lead to gridlock. This would increase the amount of time self-evacuees would spend in a potentially contaminated environment, as well as hindering emergency response. The development would be close to AWE and would increase potential fatalities and health problems in the event of an off-site incident²⁵³. More recently the Police restated that in isolation there were not sufficient grounds to object, but that the concerns should be taken into consideration²⁵⁴.
245. Hampshire Constabulary advise against the application²⁵⁵. Additional houses in the area would increase the resident population at risk if an off-site emergency should occur. There would be increased demand on the emergency services due to increased numbers requiring assistance, and increased traffic flows. Responders could be exposed to increased hazard due to extended duration in the affected area.
246. Royal Berkshire Fire and Rescue Service do not raise an objection but make comments that placing more people in the DEPZ places additional pressures on responders in the event of an incident. Concern is expressed that approval of this application would set a precedent²⁵⁶.
247. The Health Protection Agency do not raise objection as long as the suggested countermeasures in the Off Site Plan remain viable²⁵⁷.
248. Hampshire County Council object to the application on the basis of siting policy and population density²⁵⁸. The Council further state that, if the development were to go ahead, the Off Site Plan would need to be reviewed.

²⁵¹ Doc 2

²⁵² Objection 3 March 2008 (on file)

²⁵³ LPA/8 Appendix 4

²⁵⁴ Doc 3

²⁵⁵ Docs 4 and 7

²⁵⁶ LPA/8 Appendix 11

²⁵⁷ LPA/8 Appendix 8

²⁵⁸ LPA/8 Appendix 2

249. There have also been communications expressing no objection from West Berkshire Highways Officer, the Environment Agency, Thames Water, Natural England, Hampshire County Council (Education, ecology, highways), subject to conditions. These representations are summarised in the Council's Committee reports on the application²⁵⁹.

Other organisations

250. Hampshire Fire and Rescue Service made observations regarding access and water supplies²⁶⁰. (The Service appeared to align itself with the Council and with the Thames Valley Police, although those organisations take somewhat different positions²⁶¹.)
251. Other representations are summarised in the Council's Committee reports on the application²⁶². These include objections from Tadley Town Council, Baghurst Parish Council and Aldermaston Parish Council. Pamber Parish Council expressed no objection but registered concern over water and sewerage. There were also 15 letters of objection and 15 letters of support, all as summarised in the Committee report.

²⁵⁹ Core Doc 32 starting at page 4. (Full representations on the file).

²⁶⁰ Doc 6

²⁶¹ LPA 8 Appendix 6

²⁶² Core Doc 32 starting at page 4. (Full representations on file).

INSPECTOR'S CONCLUSIONS

[Numbers in square brackets denote source paragraphs]

Background

252. The proposal is the demolition of an electricity substation and a former cinema (now used as a scout hut) and the redevelopment of the site for residential (115 dwellings) and commercial (945 sq.m. of Class B1 floorspace) purposes. The substation and scout hut would be relocated. There would be a new public open space and a local area for play, together with the upgrading of a public footpath [14-17].
253. The site is within the defined settlement boundary of Tadley. To the north of the site, across the main road and extending for a considerable distance, is the AWE [6-10]. It is the proximity of AWE which has given rise to the main objection to this application – the effect on human health.
254. The details of the nuclear inventory at AWE, its precise location, the processes undertaken and details of any future projects are, for obvious reasons, matters of national security and were not available to the Inquiry. However a considerable amount of more general information which is within the public domain was included in the initial material before the Inquiry, especially in the evidence of HSE [170-175]. In addition the amount of available information increased during the course of the Inquiry, especially as a result of a visit to AWE (during which a representative of AWE identified the use of certain areas and buildings), consideration of material submitted by AWE as part of a planning application for the 'Pegasus project' [9], and in the form of a letter from AWE giving additional locational details [230].
255. There is no suggestion or evidence that the interests of any party were prejudiced by the lack of more precise details of the nuclear inventory or the processes involved. No party requested that evidence related to such matters be considered in closed session.

Planning considerations and the approach to the decision

256. The starting point for considering the application must be the development plan, followed by other material considerations. In this case one part of the development plan, the Basingstoke and Deane Local Plan (LP), includes general policies dealing with the need to minimise pollution and related to environmental well-being [25].
257. More specifically, national planning policy in the form of Planning Policy Statement 23 '*Planning and Pollution Control*' (PPS23) states that the impact on health is capable of being a material consideration, and deals with the precautionary principle. Health issues, arising from the proximity of the site to AWE, are material considerations in this case, and this is accepted by all parties [34, 106, 165].
258. C04/00 deals, amongst other matters, with the role of HSE [34, 106, 167]. Their role is to provide advice on the nature and severity of the risks presented by major hazards to people in surrounding areas, so that those risks can be given due weight when balanced against other relevant planning considerations.

It is not the role of HSE to consider wider planning matters, which are the province of the decision maker. The opposition of HSE to this application was related to health matters and, although a very small part of HSE's case dealt with criticism of more general planning arguments being put forward in support of the proposal [237-239], HSE's evidence was well within the terms of C04/00.

259. This report therefore considers the application in the light of the provisions of the development plan, the objections raised by HSE (and written submissions from emergency responders) on health matters, and other material considerations – including the largely uncontested benefits arising from the development. An overall planning balance is then reached.

Development plan policies

260. Following the judgement of the High Court in November 2010 (2010 EWHC 2866) the South East Plan remains part of the development plan, although the Secretary of State's intention to abolish such Regional Strategies is a material consideration. In this case the only relevance of the South East Plan is in relation to housing land requirements, as discussed below [21, 23].
261. In addition to policies dealing with pollution and well-being, the LP includes a range of policies largely dealing with uncontentious land use planning matters (as will be discussed below). It also covers affordable housing and infrastructure contributions [24].
262. An important consideration is the fact that the LP allocates this site for a mixed residential development (of a minimum of 100 dwellings), open space and employment uses [13, 24]. The LP allocation of the site, which reflects an earlier Planning Brief [12] identifying the site for predominantly residential use, was 'saved' in July 2009 by a Direction of the Secretary of State [13].
263. Emerging local planning policy is at an early stage and there are no draft policies which are material to this case. This was agreed by the parties [27, 155].
264. The lack of consideration of health issues in relation to the site allocation was raised by HSE [232-236]. It is clear that the health consequences of the proximity of AWE to the site were not considered at the time of the adoption of the Brief, at the LP Inquiry or when the LP was subsequently adopted, or as part of the 'saving' process. The potential health issues have therefore not been previously addressed in the planning context and the current application is the first time they have been considered in relation to this site.
265. It is not disputed that HSE was consulted, on a number of occasions, during the two year period leading to the adoption of the LP. However there was no objection to the proposed site allocation from HSE. It is also clear that HSE had not objected to any other proposal in the DEPZ at that time, and did not wish to be consulted on any development generating less than 20 people. All this was in the context of the same science and nuclear policy which is currently relied on by HSE.
266. With this background, it is not unreasonable for the Council to have assumed that there was no health concern related to the proximity of AWE. The position was somewhat different by the time the question of saving LP policies and allocations was considered, as the Council was by then aware of the concerns of

HSE - but the authority apparently did not take this into consideration or report the position to the Secretary of State.

267. In any event, whatever the reason for the lack of consideration of the health issue – and it seems as though there has been fault on both sides – the LP allocation has the weight accorded by statute (S38(6) of the 2004 Act). It is not uncommon for information and evidence to emerge after the adoption of a plan, and this may properly be dealt with as a material consideration in dealing with particular proposals – as it is in this case. It can also be considered in emerging Development Plan Documents. However this is very different to any suggestion that little weight can be given to an adopted allocation because a particular issue was not even raised during the period when the allocation was being considered.

The effect on human health

Background

268. Following the Council's resolution to grant planning permission, HSE requested the Secretary of State to exercise his powers to call-in the application. C04/00 states that this power will only be exercised very selectively, and only if there are safety issues of exceptional concern.
269. The general expertise of HSE is recognised in C04/00. In this particular field the expertise of the Health and Safety Executive, Nuclear Directorate was not challenged. In particular, the experience of HSE witnesses in relation to nuclear policy matters and giving direct advice to Ministers is not in dispute. This is the first time the Nuclear Directorate has requested a call-in and the first time it has attended a Public Inquiry [167]. The advice of HSE, especially under these circumstances, should not be overridden without the most careful consideration.
270. The approach to HSE's advice is set out in C04/00. In particular the guidance is that:
- The risk to be considered is the residual risk which remains after all reasonably practicable preventive measures have been taken.
 - Where it is beneficial to do so, HSE's advice takes account of risk as well as hazard – that is the likelihood of an accident as well as its consequences.
 - Account should be taken of the size and nature of the proposed development, the inherent vulnerability of the exposed population and the ease of evacuation or other emergency procedures.
 - The risk of serious injury, including fatality, is to be considered by HSE, attaching particular weight to the risk where a proposed development might result in a large number of casualties in the event of an accident.

The risk of a nuclear accident

271. The first consideration is the likelihood of an accident involving nuclear materials taking place at AWE - after all reasonable practicable measures have been taken to ensure that the installation is safe. The requirement on AWE as

the operator of the site is to make the risk 'As Low As Reasonably Practicable' (ALARP).

272. There is no historical evidence that there have been any incidents at AWE, or its Ministry of Defence predecessor on the site, involving the release of radioactive material to the open environment. From this historical perspective the operation has therefore been safe. However it is essential to consider the possibility of future incidents.
273. There are a range of events which could give rise to accidents - lightning strikes, fires, or human error being the most likely. However the evidence suggests that the only event likely to raise concerns about off-site safety would be a major fire which engulfed an entire building within which there was a nuclear inventory [44, 180].
274. Should any accidents or incidents occur there is protection in depth provided on the AWE site – there are a number of layers of defence before any off-site measures would be contemplated. The majority of potential faults identified in the Hazard Identification and Risk Evaluation assessment (HIRE) would not result in any release of particulate radioactivity to the open environment, due to the layers of prevention, mitigation and protection in each facility [43-45, 125, 127, 212, 214].
275. In this context there is no dispute that AWE operates in a manner which is as safe as possible, and HSE accepted that AWE operates in an ALARP fashion [38, 181]. Indeed, given the role of HSE in regulating the AWE operation, it would be surprising if HSE took a different view.
276. There was much debate at the Inquiry regarding the way in which the residual risk analysis should be considered. The Applicant and the Council both asserted that HSE's evidence focussed entirely on consequences (considered in the next section of this report) not on the initial risk of an event taking place [39, 65, 112-115].
277. The approach of HSE to risk was based on the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (REPPiR). These Regulations reflect the fact that there is a long history of nuclear facilities in the UK. REPPiR is an established regulatory regime aimed at (amongst other matters) protecting the public who live near to such sites. REPPiR requires all potential accidents and their consequences to be identified by (in this case) AWE, and this identification of hazard and risk is then scrutinised by the regulator (in this case) HSE [176-180].
278. REPPiR requires the identification of "reasonably foreseeable radiation emergencies" – defined as emergencies which are "less than likely" but which are still "realistically possible" [178]. The regime specifically does not quantify the risk. It is reasonable to assume that this was a conscious choice on the part of those preparing and approving the Regulations. This approach sets the nuclear regime apart from other types of emergencies, such as flooding, where quantitative descriptors of risk (such as 1 in 100 years) are used.
279. Since the first issue of a licence to AWE, it has been consistently concluded, through the well established statutory process, that there are such reasonably foreseeable radiation emergencies which could arise from the activities at AWE.

This type of emergency and the acceptance that it is reasonably foreseeable is evident in the HIRE [180]. This is the approach of HSE to risk in this case.

280. There is nothing to doubt the accuracy of the work done within the REPPIR system or the system itself. However the concern of the Applicant and the Council is that the main purpose of REPPIR is to deal with a situation where an event has already occurred and control measures have failed. It then deals with the emergency planning arrangements to deal with that radiation emergency. There is an assumption in REPPIR that no health protection measures at all are taken for 24 hours after such an event.
281. It might be tempting to consider that saying that an event is 'reasonably foreseeable' does not provide a useful tool in the context of deciding a planning application, when the likelihood of the risk of a harmful event taking place needs to be considered. However there are two persuasive reasons for adopting the REPPIR approach. Firstly, it is the system which statute has deliberately established for dealing with sites such as AWE – and this is a system which has deliberately avoided quantifying the extent of the risk. Secondly, even if there was a reason for going behind REPPIR and substituting a quantifiable measure of risk, it is far from clear what that measure should be.
282. The Applicant has addressed this matter in comparison with events and activities of various kinds which contribute to a normal background level of risk, and has concluded that the residual risk is less than of one event in 1,000,000 years [66]. However this is not based on any detailed knowledge of the processes or nuclear inventory at AWE, and such comparisons are of limited assistance.
283. Various terms have been used to describe the risk that an event at AWE would impinge on those living and working outside the site. Perhaps the best is contained within the REPPIR Leaflet (2010) distributed to the public which describes the risk as 'extremely remote' [117]. The key point remains that, regardless of which of the various descriptors is used, there remains the potential for a reasonably foreseeable emergency at AWE – despite the fact that the site is operating at ALARP.
284. In this context, although the REPPIR approach towards 'reasonably foreseeable' events does not give a clear definition of the likelihood of an event occurring, it has the benefit of being the tried and tested statutory approach – which is applied to the entire nuclear industry. To go behind that and adopt a different test would not be justified, and it was accepted by the Applicant [181] that this would be irrational.

The consequences of a nuclear accident

285. REPPIR requires the operator (AWE) to produce a hazard analysis (HIRE) identifying potential accident scenarios and the possible extent of any release of radioactive materials. The HIRE is then scrutinised by the regulator (HSE).
286. A Detailed Emergency Planning Zone (DEPZ) is then fixed by HSE, as being an area within which detailed emergency preparedness is required. A radiation emergency is defined by REPPIR as a dose intake of 5mSv and the DEPZ is defined as being the area in which a member of the public might receive this dose or more in the event of a nuclear accident.

287. In the case of AWE, this DEPZ is a circle of 3 km radius from a nominal central point on the AWE site [183]. The extent of the DEPZ has not altered since the site was first licensed, although it is not clear how that figure was initially determined [56]. Consideration has been given by HSE to reducing the DEPZ but this consideration has not resulted in any change, and is part of the normal process of monitoring and review [56, 184]. The fact that alternatives have been considered should not be accorded any significant weight, as the adopted DEPZ has not been altered.
288. The application site is about 1 km from this nominal central point on the AWE site. The dose received by those closer to AWE would clearly be higher than those at the edge of the DEPZ, and HSE clearly calculated (on the basis of a Gaussian Plume model) that at 1 km the effective dose would be in the region of 30mSv [185]. This would be a significant dose, as accepted by the Applicant.
289. The methodology assumes that the application site would be downwind of any release. Clearly the dose could be less than 30mSv if the wind was blowing in the other direction [121]. However to assume a more favourable wind direction as part of the rationale for allowing the proposal would be most unwise.
290. However the Applicant put forward an analysis [54, 59] which suggested that the dose received at the application site would be significantly lower (no more than 16mSv). But this analysis was partly based on calculations subsequently accepted to be in error [228, 230]. It addressed only the current situation and the proposed Pegasus development, and did not allow for the possibility of future development at AWE closer to the application site. The calculation by HSE of the likely dose at the application site is more robust.
291. Turning to the consequences of such exposure, the REPPIR public leaflet states that there would be no immediate health effect for members of the public following a serious nuclear incident and release at AWE. It states that staying indoors with doors and windows closed would remove almost all the risk [69, 119]. There is no evidence that this is incorrect, but there has to be a question as to whether those potentially affected would be notified in time and be able to take shelter.
292. REPPIR makes the assumption that, for the first 24 hours after an event, persons within the DEPZ are outdoors and unable to achieve the mitigation afforded by sheltering. This is due to the uncertainty of guaranteeing that warning could be given or received, or that shelter would be immediately available [113, 120, 121].
293. Doubtless some sheltering would take place, and other emergency measures would be implemented. However the method of warning residents would be by way of telephone calls, and for those who were outside at the time of the incident, this could lead to a delay in notification. Given the evidence that the radioactive plume could reach the application site in around 3 – 5 minutes [209], the REPPIR assumption that no sheltering would initially occur is reasonable.
294. If the potential 30mSv dosage was received by occupiers of the development, this would be very significant. The extent of such a dose, arising from a reasonably foreseeable event, was not addressed in the Applicant's Environmental Statement or written evidence. The persuasive evidence of HSE,

given by an acknowledged expert on the impact of radiological doses was that such an exposure would be unacceptably harmful and would lead to an increased risk of cancer [187-191]. The concern is therefore not related to a societal risk, but a risk to a small number of people over a lifetime.

295. The Applicant's position at the Inquiry on the consequences of this dose proved not to be significantly different to that of HSE. It was accepted by the Applicant that such doses were "significant" if not "catastrophic", and that residents of the proposed development would be right to be "legitimately concerned" about such consequences [72, 189].
296. The Council compared this dose with other exposures to radiation. For example some medical procedures (such as CT scans) involved around a 10mSv dose [121]. However such comparisons are not especially helpful when considering the unwilling exposure of those who happen to live or work near the AWE site.
297. In dealing with the consequences of an accident, it is noted that HSE did not object to other housing developments in the area, most notably Kestrel Mead, which is located slightly closer to AWE [67, 136, 141]. This was despite the fact that the science and nuclear policy which HSE currently applies has not changed. However it was accepted at the Inquiry by HSE that this was a mistake [188]. Although this inconsistency is to be regretted, it adds very little to the Applicant's argument in this case.
298. However one defines the likelihood of a nuclear emergency of the type dealt with by the REPPiR process, it remains a possibility – albeit unlikely. The only two parties (HSE and AWE) with the full knowledge of the inventory and processes at AWE consider that such an emergency is reasonably foreseeable in the terms defined by REPPiR. The fact that one of these parties is the statutory regulator of the site is of considerable significance.
299. Should a nuclear accident take place, and have consequences off the AWE site, there remains the potential, even after preventative measures have been taken, that a materially harmful radiation dose would be received by occupiers of the proposed development. The potential that a person could receive a 30mSV dose cannot be disregarded, and is clearly an important material consideration.

The effect on off-site preparedness

300. As explained above, the DEPZ is determined by HSE, within which area a detailed emergency plan is required by REPPiR. In the case of AWE, this is the Off-Site Contingency Arrangements (the Off Site Plan). The current Plan was agreed in July 2009 and is to be formally reviewed in January 2012.
301. The Off Site Plan was prepared by a Working Group, chaired by West Berkshire Council and consisting of representatives of a wide range of organisations, including HSE. The Off Site Plan sets out the contingency arrangements for a multi-agency response should there be a release of radioactive material which poses a hazard outside the AWE boundary.
302. There was some discussion at the Inquiry as to whether HSE had formally approved the Off Site Plan, or indeed whether it was required to do so. That is to a large extent academic, as it is clear that HSE played an important role in the production of the Off Site Plan and that, had they considered the document to be deficient and not fit for purpose, they would have at the very least altered

the Working Group to that fact. The evidence of HSE did not significantly criticise the contents of the Off Site Plan, which was accepted to be fit for purpose and REPPIR compliant [81, 122, 201].

303. The Off Site Plan has been regularly reviewed and tested as required by REPPIR. The last test was in November 2010, and HSE (who were actively involved in the test) confirmed that it then met REPPIR requirements. The Off Site Plan has also been the subject of a Benchmarking Review [123] which confirmed its robustness.
304. HSE's concern in relation to the Off Site Plan was not that it would fail, but that the proposal would provide additional challenges and reduce emergency preparedness. However the limited increase (268) in the resident population of the emergency planning area (i.e. around 2%) would seem unlikely to have a significant impact on the effectiveness of the Off Site Plan [122, 131]. This is against the background that the Off Site Plan does not include a maximum population beyond which it would not work. In addition, the area already accommodates widely fluctuating numbers of people as a result of those travelling through and working within the area.
305. REPPIR requires [82, 121] that the Off Site Plan should be 'extendable' to provide effective mitigation against extremely unlikely accidents which could have consequences even beyond the DEPZ. This type of extendability planning is an important part of nuclear emergency response arrangements. The built in flexibility and extendability demonstrates that the Off Site Plan is capable of adjusting to changing circumstances, and that the process of review and modification could cope with the increase in population envisaged in the current application.
306. The Off Site Plan deals with the need for evacuation, and states that even the most serious incident that can be envisaged at AWE should not require the urgent evacuation of areas outside the AWE fence. Exceptionally, evacuation within the first 24 hours might be necessary for areas up to 400 metres downwind from the site of the incident, but most of this area would be within the AWE boundary [53]. This approach towards evacuation is reflected in the REPPIR public leaflet. In this context, the potential need to evacuate those living on the application site is limited.
307. If an evacuation were necessary, this would normally be carried out either before any release (on a precautionary basis), or following the initial phase once the pollutants had settled. There is no reason to suppose that the addition of those living and working on the application site would render any such evacuation impossible or significantly more challenging, although it would require additional resources and commitments from emergency responders.
308. Concern was also raised by HSE about those who chose, despite the published advice, to self-evacuate when an incident occurred. This possibility is recognised in the Off Site Plan [85]. However it is reasonable to assume that the majority of residents and workers would follow the advice to stay indoors and thereby limit their exposure. Those few who might self-evacuate are unlikely to pose the sort of traffic difficulties suggested – without any detailed evidence – by HSE. The Applicant's Transport Assessment [85] states that the entire development would only increase traffic flows by around 2%. In this context the very small increase in traffic brought about by any self-evacuation

would be unlikely to impact in any material respect on the emergency services. In any event, initially emergency vehicles would generally be going towards the incident, whereas any self-evacuees would be travelling away.

309. Some of the agencies who would be involved in responding to an emergency have objected to or raised concerns about the proposal [242, 249]. The fact that there have been varying responses is perhaps inevitable given the different roles of the organisations. However, although a number of them state that the Off Site Plan may need to be amended, they generally stop short of suggesting that this could not be done.
310. Particular attention should be given to the response from West Berkshire Council (who chair the Working Group) and Thames Valley Police (who are charged with leading the co-ordination and management of the emergency response) [242, 244].
311. West Berkshire Council, although objecting to the proposal, explains that, should the application be approved, the responding agencies would review their processes and the Off Site Plan, and adapt accordingly. Although concern is expressed at the financial consequences, it is clear that the Off Site Plan could be adapted to allow for the proposed development.
312. Thames Valley Police have concerns about development in an area where people may potentially be put at risk. However they state that there is nothing to indicate that the increase in population would result in the failure of the current Off Site Plan or a breakdown in the police response.
313. Overall, it is far from certain that the proposal would necessitate any significant changes to the Off Site Plan, which has built in flexibility and extendibility. But even if such changes were required, there is no persuasive evidence that they could not be accommodated within the statutory REPPIR process or that the proposal would unnecessarily impact on the effectiveness of emergency responders.

The applicability of nuclear siting policy

314. There is a disagreement between the parties as to the relevance of certain national nuclear policy statements [74-76, 129-130, 211].
315. HSE placed particular weight on two main sources of policy. These are the 'Fourth Report on Compliance with the Convention on Nuclear Safety Obligations' (the Fifth Report is very similar), and the Statement by the Secretary of State for Energy in March 1988 dealing with demographic criteria – the 'Hansard policy'.
316. It is clear that the policies were written for nuclear reactor sites, where all aspects of the design, planning and construction have been the subject of licensing control. Self-evidently the AWE site is neither a nuclear reactor nor a potential location for a complete new nuclear facility. It is a legacy site which has developed over many decades, and which has only recently been the subject of the licensing process.
317. In the light of this, it was accepted by HSE that there is no specific Government policy dealing with a legacy site such as AWE, and no HSE document in which

the applicable siting policy was specifically set out. Nonetheless, HSE gave weight to these national nuclear policies for a number of reasons.

318. In particular the Forward to the Fourth National Report states that, although the report only covers land based civil nuclear plant, the “safety of other UK nuclear facilities that fall outside the scope of this Convention are also regulated to the same standards, so as to ensure that they are operated in a manner that maintains a high level of safety” [211]. Although this refers to standards and not locational issues it is nevertheless a good indication of the applicability of the Report.
319. Several HSE witnesses, including those who directly advise Ministers on nuclear matters, explained how the policy is applied in practice to sites such as AWE. This evidence of the manner in which national policy has been applied was persuasive.
320. HSE referred to 1998 and 2008 papers dealing with proposals for demographic siting criteria to be applied to both reactor and non-reactor nuclear sites. Although these were discussion papers and not statements of policy, they add weight to the argument that the policy is applicable to non-reactor sites. Similarly considerations by NuSAC did not formally adopt a policy for sites such as AWE, but again these reinforce the use of the policies on the basis of custom and practice [75].
321. It is clear from the evidence that the policy sources relied on by HSE have been regularly used in relation to non-reactor sites, and is reasonable to consider them in this case.

Population density criteria

322. The overall policy approach is to preserve the ‘general characteristics’ of a nuclear site, and the Hansard policy specifically confirms the use of weighted population figures [213]. The Applicant accepts this general statement of government policy, though not the way in which it has been applied by HSE [61, 63].
323. This policy is by way of general guidance rather than being proscriptive. This is made particularly clear in the Hansard policy, and by the use of such subjective terms as ‘significant’ when considering whether there has been population growth after a site was licensed [47, 132].
324. The policy itself does not provide a finite limit on population numbers in the area. This is accepted by HSE. The issue is therefore not the principle of population growth in general, but rather the consequences of the location of the application site close to AWE. The limiting criteria in the policy are in the form of cumulative weighted populations to various distances around the site and in any 30 degree sector.
325. Three demographic criteria guide the siting of nuclear reactors - semi-urban, remote and new build. Of these, the semi-urban criterion is the least restrictive, and therefore allows a greater population density closer to the facility than the others. Although these criteria apply to reactors and not sites such as AWE, there is a persuasive logic which suggests that they should be applied in this case – the issue is therefore which criterion should be used.

326. The criterion to be applied can best be considered in relation to the extent of the hazard. DEPZs have been calculated for each appropriate nuclear site, and the DEPZ at AWE is wider than that for AGRs [219-220]. HSE persuasively explained that this is because the hazard associated with AWE has been calculated to be higher for a reasonably foreseeable emergency than that at AGRs. This level of hazard is also reflected in the fact that at licensing, it was apparently thought appropriate to treat AWE as an even more sensitive "remote" site [221].
327. As the semi-urban criterion is applicable to AGRs, at least the same criteria should logically be applied to AWE. This logic was accepted by the Applicant. Careful consideration of the criterion is especially important as the normal siting issues were not considered when AWE was established as a Ministry of Defence operation. This makes the consideration of the surrounding population characteristics even more important.
328. There was much debate as to the way in which the semi-urban criterion should be considered, but the overwhelming evidence was that, due to the existing population around the AWE site, the semi-urban criterion is already significantly breached for large parts of the AWE site [224]. In general, the further south one goes within AWE (i.e. towards the application site) the greater the breach. HSE's evidence on this matter did not allow for day time visitors to the area and, self-evidently, if they were included the breach of the semi-urban criterion would be greater.
329. Given this existing situation, significant population growth in the relevant sectors would not comply with the semi-urban criterion. It cannot reasonably be argued that because a sector already includes too many people, a growth in population may be allowed simply because the criteria are already breached.
330. The Applicant's approach was not to use the semi-urban criterion but to suggest an alternative by manipulating the weighted calculation which defines the criterion. This resulted in what was called a 'limiting population density'. However this is not a recognised approach and is not a useful concept because the consequence of the manipulation is to remove any limiting criterion – in other words the population could rise to any level and still meet the terms of the new equation. This would be at odds with the policy need, accepted by all parties, to maintain the general characteristics of the site.
331. There was considerable debate at the Inquiry as to the population of the area at the time of licensing and at present. This obviously bears on whether there has been population growth after the site was licensed.
332. The Council convincingly demonstrated that the population of the entire DEPZ has remained broadly the same since licensing (an average change of less than 0.03% per annum) [137]. This was supplemented by the personal knowledge of Council witnesses.
333. However this evidence dealt with the whole of the DEPZ and did not address changes within the area or with the more detailed situation close to the point of potential release within AWE. It was agreed by the Applicant and the Council that it is only cumulative weighted populations and moving averages that have direct relevance to HSE's demographic model [33]. In this respect HSE

evidence showed an increase in population close to the application site, which was balanced by a decrease in sectors further away [231].

334. HSE's population evidence is not without flaws, in that it relied on an average household size based on 2001 census data, when it was demonstrated that the average household size has reduced since that time [142]. In addition, the relevant start date should have been the licence date (1997), but 1991 was in fact used – and the Council demonstrated that most material increase in population had taken place before that [142]. Despite these issues, HSE's population evidence is the most useful in that it was produced in a manner appropriate to the consideration of the semi-urban criterion.
335. There is nothing to suggest that the current HSE evidence on population is incorrect, but there was a previous flaw in their approach which has led to an anomaly in their position. In 2009 it became apparent to HSE that the earlier work by WS Atkins – estimating population numbers around the time of licensing - had significantly underestimated the population at that time [138-141]. This seriously skewed the subsequent estimates of population increase in the area. On that basis, working under the misapprehension of very large population increase in the area, the fact that HSE did not object to most earlier proposals in the DEPZ is anomalous.
336. This misapprehension did feature in one objection by HSE, in relation to an appeal at Shyshack Lane [139, 217]. The incorrect evidence by HSE at this appeal was based on a population growth of around 300% in the relevant sector since licensing.
337. It was suggested that HSE had initially based its objection to the current proposal on this incorrect assumption of population growth in the area. When it discovered that this was not the case, the suggestion was that HSE had changed tack and adopted the position that the semi-urban criterion would have been breached even in 1997, so that there would also be a breach now if the application scheme went ahead. There is some evidence that the primary focus of HSE did shift in this manner, but that is not to imply that the existing breach of the criterion was not initially considered. In any event, the convincing evidence now is that the criterion was and is breached.
338. The Applicant stated that other sectors within the DEPZ are more heavily populated than the sector containing the application site [83, 231]. However this evidence considered DEPZ sectors and not Hansard policy sectors, and had not been rotated as required by the criterion. In addition, the data had not been weighted to reflect proximity to the potential release site. The Applicant accepted these shortcomings in the data, which therefore adds very little to the current considerations.
339. It was also suggested that an allowance for natural growth should be made in this case. However there is no evidence that this approach is based on any policy and, where such an allowance had been made in the past, the actual ceilings for population including natural growth were below the semi-urban criterion. In any event, HSE's convincing evidence was that the semi-urban criterion already allows for natural growth [231]. It would therefore be double counting to include this for a second time. To make an additional allowance for natural growth where the semi-urban criterion had already been breached would be illogical.

340. There was some discussion at the Inquiry of the way in which future development within the AWE site might be constrained by existing and future development outside the site [52, 79, 229]. Development of a nationally important nuclear site should not be unreasonably fettered by proposals outside the site (although this point was not made by AWE). In any event, given the fact that there is existing housing closer to AWE than the application site, it is reasonable to assume that this existing population would be the limiting factor rather than the proposed development. The constraining effect of the current proposal would therefore be very slight, and is not an argument of any real significance in this case.
341. In conclusion on this issue, it is noted that the criteria are specifically intended to be used only for guidance. A breach in the policy and the semi-urban criterion should not, in itself, be a reason why planning permission should be refused. That said, the balance of the evidence is that the policy and criteria are applicable to AWE and its surroundings, and that the semi-urban criterion is already breached in this location. That breach would be worsened by the proposal.
342. Although the character of the overall DEPZ has probably not changed significantly since licensing, this ignores the weight to be accorded to the proximity of the site to the potential source of release and the population changes close to the source of the release. This is an important factor when considering a site as close to AWE as the application site.
343. The alternative approach adopted by the Applicant does not have any backing in policy. It would fail to control population in the area around AWE – which is the clear objective of policy.
344. On balance, the general characteristics of the site would not be preserved by this proposal, and the semi-urban criterion would be breached.

Other health matters

345. The only nuclear appeal decision to which the parties referred and which could in any way be comparable to the current situation is that at Shyshack Lane, to which reference has already been made. In this case an Inspector dismissed an appeal for a much smaller housing development on a site within the DEPZ but further from AWE.
346. However, as noted above, HSE's case in that instance was erroneously based primarily on a perceived significant increase in population growth since licensing. The parties to the current application disagreed as to the amount of weight which that Inspector would have accorded to the apparent population growth. The Inspector's reasoning can only be assessed by what she wrote in the decision, but it appears as though she regarded it as an important material consideration. What the decision would have been in the absence of that (inadvertently) misleading evidence can only be a matter of speculation, but it would be unwise to place any significant weight on the decision.
347. The question of the precedent which granting planning permission for the current proposal would set was an argument raised by HSE in the letter which secured the call-in of the application. The letter referred to "serious precedential implications". However this was not pursued at the Inquiry. Each

application must be treated on its merits, and the alleged precedent which a decision on this site would set is not a major consideration. In any event, the Applicant's largely unchallenged evidence [88, 89] was that the application site is the last available development site of any size in the area, and it is therefore unlikely that any decision in this case would set a significant precedent.

Conclusion on health matters

- 348. The risk of a nuclear accident at AWE occurring at all is very low, given that the site is operating at ALARP. Should there be an accident, there are a number of levels of defence in depth before there would be any consequences for the general population outside the AWE site.
- 349. The likelihood of this residual risk occurring, although low, is nevertheless 'reasonably foreseeable' in the terms of REPPiR. Although this does not provide a clear definition of the likelihood of an off-site event occurring, as the Applicant sought to provide, it has the benefit of being the tried and tested statutory approach which is applied across the nuclear industry.
- 350. Should such a reasonably foreseeable event take place, there is the potential that those on the application site could receive a materially harmful radiation dose of the order of 30mSv. All parties accept that this is not something which should be disregarded, and it is an important material consideration.
- 351. The Off Site Plan, which sets out the response arrangements should there be a release of radioactive material outside the AWE boundary, is accepted by all to be fit for purpose. It is designed to be flexible and extendable. It is possible that the implementation of the application scheme would necessitate changes to the Plan, but the evidence does not lead to the conclusion that the Plan would fail. The representations of the key emergency responders generally support this conclusion.
- 352. There is no specific Government policy dealing with a site such as AWE, but the evidence is that the national policy relied on by HSE has been used for non-reactor sites, and this policy should be considered in this case. The overall policy seeks to preserve the 'general characteristics' of a nuclear site, which is an approach accepted in principle by the Applicant. The best evidence is that the general characteristics of the site would not be preserved by the proposal, and that the semi-urban criterion would be breached.
- 353. HSE has a specific role as set out in C04/00, and its opposition to the proposal needs to be carefully considered. There are a range of factors which suggest that the risk of an event occurring and having off-site consequences is of a very low order of probability. However the health consequences for those on the site, who could receive a materially harmful radiation dose, are such that HSE's Advise Against position is justified.

Other material considerations

- 354. There are a number of material considerations which weigh in favour of the application. This is in addition to the LP allocation of the site for residential, open space and employment uses. These material considerations are almost entirely uncontested and, where applicable, are supported by the development plan – for that reason the consideration of these matters is comparatively brief, but this does not imply that they have correspondingly limited weight.

The improvement of the site, density and sustainability

355. The site is currently visually unattractive and does not contribute to the character of the area. Aside from the activities at the scout hut the site is only used for local walking, and may therefore be regarded as under-utilised.
356. The general location of the site is clearly sustainable, being close to the centre of the second largest settlement in the Borough, and the principle of developing such sites is recognised by LP policy D5. There is a good quality bus service to Basingstoke, and the site is close to local employment opportunities in the District Centre, at Calleva Business Park and at AWE itself [10].
357. In principle the redevelopment of such a site close to the centre of the settlement would accord with LP policy D2 and with national policy by making efficient use of previously developed land. The proposed density of the residential element [15, 61] represents an efficient use of the site, as does the layout and scale of the commercial element.

General housing need and supply

358. Dealing first with housing need, there are a range of possible requirement figures. The South East Plan, which remains part of the development plan, sets a requirement of 945 dwellings p.a. for the period 2006 - 2026. Although the intention to abolish Regional Strategies is a material consideration, significant weight must currently be attached to this figure. This figure is the only one which has gone through a full needs assessment and has been adopted [97, 151, 152, 238].
359. However there are three possible alternative figures, which must be given less weight than the development plan figure and do not, in any event, represent a fully tested and adopted locally generated requirement:
- 825 p.a. for 2006-2027. This is based on the Chief Planning Officer's letter as to the possibility of utilising such a requirement.
 - 790 p.a. The Council's Planning and Infrastructure Overview and Scrutiny Committee (July 2010) supported this figure. However this requirement was not pursued by the Council at the Inquiry.
 - 740 p.a. for the period 2011-2027 or for 2006-2027. An officer report dealing with these possible requirements was to have been considered by the Council's Committee in November 2010 but, in the light of the Court judgement related to the reinstatement of Regional Strategies, no consideration was given to this proposal. It must therefore be accorded very limited weight.
360. Set against these requirements, there is a disagreement between the Applicant and the Council as to the exact extent of the deliverable land supply.
361. The Council considers that there is a supply of 3,331 dwellings in the relevant 5 year period, whereas the Applicant considers it is 2,583 (excluding the application site). The difference relates to five sites, based on the 'deliverability tests' in PPS3. [98-100, 150].
362. The Applicant's detailed assessment of these sites [98, 150] casts considerable doubt on the Council's more optimistic land supply figure. Of particular note is

the Beech Down site, where 64 extra care affordable units appear to have been included in the supply figure (although all other such units have been excluded). In relation to land between Mulfords Hill and Silchester Road (the other allocated site in Tadley) the best evidence is that there are land ownership problems which seem likely to delay any development. For these and other reasons set out in the Applicant's evidence, the more realistic approach of the Applicant to land supply is preferred [98].

363. Balancing housing requirements and land supply, using the Applicant's figures, it is clear that there is a deficiency in the five year supply regardless of which housing requirement figure is used [99]. The extent of the supply ranges from 2.87 years (using the 945 p.a. figure) to a supply of 4.09 years (using 740 p.a. for 2006-2027).
364. Even using the Council's land supply figures, there would be a shortfall for all the housing requirement figures unless one were to use 740 p.a. for the whole 2006-2027 period. Even using that figure, leaving aside the fact that it should not be given any significant weight, there would be a 5.3 year supply if the application site were included. It is clear that the application site would make an important contribution to the extent of the 5 year land supply under these circumstances.
365. With this background, the only issue is the extent of the shortfall in housing land. Under these circumstances, favourable consideration should be given to planning applications, in line with national policy.

Affordable housing

366. Affordable housing would be provided by way of the Planning Obligation. The development would provide 40% affordable housing (i.e. 46 of the 115 units) with a tenure split of 63% social rented and 37% shared ownership. This provision would accord with LP policy C2 and with the Affordable Housing Supplementary Planning Document.
367. It is common ground between the Council and the Applicant that there is a need for between 580-920 affordable units each year across the Borough. This reflects the various Housing Market Assessments which have been undertaken over recent years.
368. More locally, there is a significant local under-provision of affordable housing. Set against a clear identified need in Tadley [32] the current proposal would deliver 46 units.
369. This is of particular importance bearing in mind the exceptionally low level of affordable completions in Tadley - none since 2005/6 [32]. There are no other deliverable and available sites to meet either the current or cumulative need in Tadley [32]. The only other site in the area large enough to deliver affordable housing is the land between Mulfords Hill and Silchester Road but, as mentioned above, land ownership issues look set to delay that development.
370. HSE stated that the Council has substantially exceeded its 'objective' of providing at least 300 affordable units p.a. [102]. However this figure does not reflect the actual level of affordable housing need in the Borough. In any event, the period considered (2007-2009) was a time when developers prioritised

affordable units in order to aid cashflow, and when significant additional funds were made available. It by no means represents an average period.

371. The mechanism for securing the affordable housing provision in the Planning Obligation is unexceptional, and the comment from HSE that the intermediate housing would be unrestricted if the owners purchased outright is an entirely normal provision. These units would contribute towards the current need for such accommodation.
372. The affordable housing provision, given the pressing need in Tadley and the Borough generally, is a consideration to which significant weight should be attached.

Dwelling mix

373. The proposal would provide a mix of unit sizes which would accord with the requirements of LP policy C3. This requires a mix of dwellings with a substantial proportion of 1 and 2 bedroom units (30-50% in the case of the open market housing). It would create a mixed and inclusive community, taking into account the scale of the development, its location, and housing needs.

Employment floorspace

374. The application includes 945 sq.m. of commercial floorspace – around 10% of the floorspace of the overall development. It would be in a sustainable location and would enhance the existing commercial provision in Tadley. This is in accordance with LP policy EC4 and the LP site allocation.

The replacement of the scout hut

375. The former cinema building, now occupied by the Scouts, is in poor condition, as accepted by all parties and as confirmed by the Scouts [163]. The loss of such a facility would normally be resisted by LP policy C8. However there is an extant permission for the construction of a new facility in a residential area east of Southdown Road [14]. The applicant proposes to implement this permission prior to the demolition of the former cinema building – this is included in the Planning Obligation [14]. Should this not happen, the Applicant would pay a financial contribution towards a replacement facility.
376. The provision of a new facility, or contributions towards it, would be of greater benefit to the community than the retention of the existing building, and the objectives of the policy would be met. The new building – which could be used for a range of activities - would complement the existing playground, basketball court, football pitch and open space.

Footpath improvements

377. The existing footpath along the southern boundary of the site would be improved in relation to surface and boundary treatment, and high and low level lighting. This would improve surveillance and the overall quality of the path, which links Aldermaston Road and Almswood Road, along with providing access to the proposed central open space. This would comply with LP policy C9.

Design, layout and open space

378. There is no dispute that the scheme complies with the requirements for high quality and inclusive design. The dwellings would have private amenity space and the layout would not appear cramped or contrived. The three storey apartment blocks would be set back from the road and would be perceived along with adjoining commercial buildings – they would also replace the former cinema, which is of considerable scale. The existing mature trees around the site would be maintained.
379. There would be a central open space, which would produce a legible environment and allow an open view through to Aldermaston Road. This central open space would be accessible to residents of the development and other local people - there are no equivalent facilities in this part of North Tadley. This would accord with LP policy C9.

Conditions and obligation

Conditions

380. If it is considered by the Secretary of State that planning permission should be granted, the conditions set out in Annex 1 to this report are recommended.
381. The conditions are closely based on those agreed between the Council and the Applicant, and were not the subject of objection by any other party. Some minor amendments have been made to align them more closely with national policy. All are necessary and reasonable and meet the other tests in C11/95.
382. Standard conditions should be imposed to prevent the accumulation of permissions and to limit the development to the application plans, for the avoidance of doubt (Conditions 1 and 2).
383. A number of details of the scheme would need to be submitted for subsequent approval, to ensure a high quality of development in the interests of the visual amenity of the area (Conditions 3, 4, 10, 14). To ensure the development would not add to any flood risk, details of drainage arrangements should be submitted for approval (Condition 17).
384. During demolition and construction work it would be necessary to restrict the hours of working and deliveries, in the interests of the living conditions of nearby residents. (Conditions 6 and 13). Also during this period a condition would be necessary to protect the existing trees on the site, in the interests of the amenity of the area (Condition 20). Conditions dealing with construction vehicles, a temporary turning area, and the enclosure of the site would be necessary during the construction period in the interests of highway safety (Conditions 9 and 21).
385. Although conditions restricting 'permitted development' rights should only be imposed exceptionally, it is necessary to do so in this case given the nature of the scheme, so as to avoid the appearance of an overdevelopment of the site (Condition 5).
386. In the interests of the amenity of future residents of the development, it is necessary to require the use of obscure glazing in the first floor bathrooms, to

protect the development from road traffic noise, and to control the details and timing of lighting (Conditions 7, 15 and 18).

387. For highway safety and sustainability reasons, conditions should ensure the provision and retention of vehicle and cycle parking/storage (Conditions 8 and 23). Conditions should also control the details of roads, footpaths and accesses, and also prevent gated access to the development (Conditions 22, 24, 25). Existing access points should be closed and no additional accesses formed (Conditions 26 and 27). Works to improve the footway/cycleway fronting the site should be undertaken to improve access for pedestrians and cyclists (Condition 28).
388. For sustainability reasons, the dwellings should be constructed to Code 3 of the Code For Sustainable Homes (Condition 29). In the light of Lifetime Mobility standards, a condition is necessary to require 15% of the development to achieve that level (Condition 30).
389. To deal with any potential contamination, a condition is necessary to ensure investigation and, if necessary, remediation (Conditions 11 and 12).
390. Finally, in the interests of the living conditions of residents, a condition is necessary to ensure that the commercial space is used for B1 purposes only – as was sought in the application (Condition 19). The suggested highway safety reason for this condition is not agreed, as there is no evidence that uses outside B1 would necessarily generate additional traffic.

Planning obligation

391. Along with the affordable housing element referred to above, the Planning Obligation provides financial contributions and other community/infrastructure improvements [14]. This is in line with LP policy C1, which requires developers to provide the infrastructure and community facilities necessary to allow the development to proceed where provision is inadequate. The matters covered by the Obligation comply with the relevant development plan policies and guidance.
392. The key elements are:
- The provision of affordable housing. This has been dealt with above, and is in line with LP policy C2 and would meet a clearly identified housing need [101-103, 149].
 - A highway contribution and a Travel Plan. The Council has set out detailed and persuasive evidence [149] as to the need for and the calculation of the contribution. The area already suffers from high levels of congestion, and to allow the development without measures to offset its effect would exacerbate the position. The Council has provided evidence of the schemes to which the contribution could be allocated and which are directly related to the site and the proposal.
 - The implementation of the scout hut permission, or an alternative contribution. This is required in the light of LP policy C2, in order to provide the replacement of an essential local service. The deficiencies in provision in the area have been clearly identified [149].

- A Landscape Management Plan is necessary to provide for continuing management and maintenance of hard and soft landscaping. This is particularly important as the application site includes a significant amount of mature vegetation around the site boundary [149].
- The provision of a kickabout area and play area, and commuted sums towards the maintenance of open space and play areas. This would accord with LP policy C9, together with interim guidance. It would meet the reasonable needs of the increased number of local residents on the basis of formulae relating open space provision to head of population [149].
- A playing field contribution similarly relates to the population increase arising from the proposal, in the light of a range of documents supporting the need for provision. The contribution would be allocated to one of a named list of sites in the area [149].

393. These provisions meet the tests in C05/05 on the use of planning obligations. They are relevant to planning, necessary to make the proposal acceptable in planning terms, directly related to the proposal, fairly and reasonably related in scale and kind to the proposal, and are reasonable in all other respects. They also accord with the Community Infrastructure Regulations, which set out requirements for obligations. The matters contained in the Obligation are material considerations which weigh heavily in favour of the proposal.

The planning balance

394. With the exception of those general LP policies dealing with pollution and environmental well-being, the application accords with the development plan. In addition, aside from health matters, all other material considerations are either neutral or, in the main, in favour of the proposal.
395. This is a previously developed site within a defined settlement boundary, which is identified in a saved LP policy for the type of development currently proposed. That must be the starting point for the consideration of the application – even allowing for the fact that at no time were the health aspects of that allocation considered.
396. The site itself is in a sustainable location, and the proposal would make good use of the land in both visual and sustainability terms. It would result in significant planning benefits, in particular the provision of affordable housing (for which there is an acknowledged need) and the replacement of community facilities.
397. The position regarding housing land requirement and supply is in a state of flux at the moment. However the overall position is that, almost regardless of the housing requirement or land supply adopted, a 5 year housing land supply does not exist. Under these circumstances, favourable consideration should be given to planning applications.
398. Set against these matters is the sole, but substantial, objection on the basis of the effect on human health. This is clearly a material consideration and is the subject of policy at the national and local level.
399. Although decisions must be made on the basis of evidence, it is of relevance to recognise the role and expertise of those giving the evidence. The expertise of

HSE is clear and is recognised in national policy, and it has a specific role to advise Ministers on a range of matters, including the type of health issues raised by this application.

400. As concluded above, there is the unquantified potential for a reasonably foreseeable radiation emergency at AWE, even though it is clear that the likelihood of such an event is remote. Under those circumstances a materially harmful radiation dose could be received by occupants of the proposed development. No party suggests that the potential that a person could receive such a dose should be disregarded, and the fact that the proposal would put a significant number of people in harm's way is clearly an important material consideration.
401. The national nuclear policy documents relied on by HSE, although on their face not directly applicable to this case, have clearly been used as a matter of custom and practice in relation to facilities such as AWE, and it would be wrong to set them aside. All parties, though in some cases expressing concern about the relevance of the policies, accept the general principle that the general characteristics of the site should be preserved. In this case the best evidence is that this would not be the case, that the semi-urban criterion would be breached, and the proposal would not be in compliance with national nuclear policy.
402. The evidence is that the Off Site Plan has flexibility and extendibility built into it. Even if changes were required, such changes could be accommodated and emergency preparedness maintained.
403. This is a finely balanced case, with one very significant but unlikely harm to be set against a range of more 'conventional' planning considerations. However the consequences of such an unlikely event would be so serious that it is considered that planning permission should not be granted.

RECOMMENDATION

404. It is recommended that planning permission be refused.

P. J. G. Ware

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr T Cosgrove of Counsel	instructed by the Head of Legal & Democratic Services
He called	
Mr G Gosling	Intelligence Officer
Cert Arch	
Ms P Hughes	Head of Property Services
BSc MSc MBA MCIEH	
Ms N Linihan	Head of Planning & Transport
BA DMS MRTPI	
Ms R Fenn-Tripp	Principal Planning Officer
MSc BSc LMRTPI	

FOR THE APPLICANT:

R Griffiths QC	both instructed by Mr D Bond
Mr Tabachnik of Counsel	
They called	
Dr Thorne	Director, Mike Thorne and Associates
FInstP FSRP CRadP	
Mr Dillon	Emergency Management Services Limited
MSc SBCI MIFSM	
Mr Brookes	Director, GIS & Design Solutions
BSc(Hons) MS	
Mr D Bond	Partner, Wolfe Bond Planning LLP
BA(Hons) MRTPI	

FOR THE HEALTH AND SAFETY EXECUTIVE:

R Harris QC	instructed by the Treasury Solicitor
He called	
Dr D Lacey	Deputy Chief Inspector of Nuclear Installations Directorate (NI)
Mr I Robinson	Superintending Inspector NI
Mr S Saunders	Principal Inspector NI
Dr J Highton	Principal Inspector NI
Ms V Jones	Planning Consultant

INTERESTED PERSONS:

Mrs M Weston	16 Silchester Road, Tadley
Mr B Spray	Chairman, Tadley Scout Group. 12 The Close, Monk Sherbourne, Tadley
Mr A Jeffrey	Resident of Tadley

DOCUMENTS

Documents handed in at the Inquiry

- 1 List of persons present at the Inquiry
- 2 Written statement from West Berkshire District Council
- 3 Email (6/10/10) from Thames Valley police
- 4 Emails (19/2/10 & 3/9/10) from Hampshire police
- 5 REPPiR Regulations (extract)
- 6 Hampshire Fire & Rescue Service letter (14/10/10)
- 7 Hampshire Constabulary letter (15/10/10)
- 8 Planning and Housing Statements of Common Ground
- 9 Unilateral Undertaking (15/11/10)
- 10 Appeal decision (10/11/09) 2009 relating to Shyshack Lane, Tadley

Core Documents (Prepared by the applicant)

- 1 Volume 1 Environmental Statement, including appendices Volumes 2a and 2b, June 2010
- 2 Planning application plans (listed in condition no.1) supporting documentation and planning officer's reports
- 3 Basingstoke and Deane Local Plan (adopted July 2006)
- 4 Saved policies from the Basingstoke and Deane Local Plan
- 5 Basingstoke and Deane annual monitoring report (2009)
- 6 South East Plan (2009)
- 7 Design and Sustainability SPD (2008) (extracts):
 - Overarching introduction document
 - Appendix 5 construction statement
 - Appendix 6 waste and recycling
 - Appendix 7 places to live
- 8 Affordable Housing SPD (2007) (as replaced by PPS3)
- 9 Housing Mix and Lifetime Mobility Standards SPD (2007)
- 10 Landscape and Biodiversity SPD (2009)
- 11 Residential Parking Standards (2008)
- 12 Tadley Design Statement SPG (2004)
- 13 Basingstoke & Deane Employment Land Review (2009)
- 14 Section 106 Planning Obligations and Community Infrastructure SPD (2006)
- 15 Boundary Hall site Development Brief (1996)
- 16 Development Framework Document: Boundary Hall site (2004)
- 17 Ram Brewery, Wandsworth Inspector's report and Secretary of State's decision (APP/H5960/V/09/2099671, 2099695, 2099698 and 2099672) 30/6/10
- 18 Brit Oval Inquiry Inspector's report and Secretary of State's decision (APP/N5660/V/081203001) (8/6/09)
- 19 Scout's Den at Southdown playing fields, Southdown Road, Tadley. Application no. BDB71012, application plans, planning officer's report and decision notice (21/9/09)
- 20 GOSE call in letter (4/3/10)
- 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 Housing Strategy for Basingstoke and Deane Borough Council (2008-2011)
- 24 Basingstoke and Deane Borough Rural Housing Study 2010
- 25 Email regarding affordable housing completions in the Tadley area since 1997/1998 (27/4/10)
- 26 DCLG letter (6/7/10) regarding the revocation of South East Plan
- 27 Planning and Infrastructure Overview and Scrutiny Committee (17/12/09) – Annual Housing Land Position Report and Annual Monitoring Report
- 28 GOSE letter to Basingstoke and Deane Borough Council regarding 5-year housing land supply calculation methodology 26 April 2010
- 29 Worting farm planning application officer's report (BDB71886) 12 May 2010 and officer update report
- 30 Basingstoke and Deane Borough Council Issues and Options Paper 2008
- 31 Basingstoke and Deane Borough Council Key Themes Paper 2010
- 32 Basingstoke and Deane Borough Council Committee Reports 1/7/09 & 13/1/10
- 33 Atomic Weapons Establishment off-site contingency arrangements 1/2009
- 34 A Guide to the Radiation (Emergency Preparedness and Public Information) Regulations 2001

Documents submitted by the Council

- LPA/1 Opening submissions
- LPA/2 Letter from HSE to the Council (6/6/2001)
- LPA/3 Letter from HSE to West Berkshire Council (16/6/2003)
- LPA/4 Note explaining outcome of 11/11/10 Committee meeting
- LPA/5 Atkins Benchmark Review of AWE Off-Site Plan (22/12/09)
- LPA/6 Planning application/permission for 'Pegasus' development
- LPA/7 Proof/Appendices of Mr Gosling
- LPA/8 Proof/Appendices of Ms Hughes
- LPA/9 Proof/Appendices of Ms Linihan
- LPA/10 Proof/Appendices of Ms Fenn-Tripp, Housing Requirement note and Rates of Housing Development table
- LPA/11 Council's Closing Submissions and Appendix dealing with RSS position

Documents submitted by the Applicant

- APP/1 Opening submissions
- APP/2 1990 ICRP recommendations
- APP/3 2007 ICRP recommendations
- APP/4 Plan showing facilities in the area
- APP/5 'What to do in the event of an emergency at AWE' leaflets (2007 and 2010 versions)
- APP/6 HIRE (11/07) for Associated British Ports Southampton
- APP/7 NRPB – R91 Model for short to medium range dispersion of radionuclides released into the atmosphere
- APP/8 HSE - 'Reducing Risks Protecting People'
- APP/9 Proof/Appendices of Dr Thorne, Siting Considerations Core Documents, additional Proof following interim site visit, additional Proof related to AWE Context Plan
- APP/10 Proof/Appendices of Mr Dillon, Schedule of Core Documents
- APP/11 Proof/Appendices of Mr Brookes
- APP/12 Proof/Appendices of Mr Bond, Housing Supply Statement
- APP/13 Applicant's Closing Submissions and Addendum

Documents submitted by the Health & Safety Executive

HSE/1	Opening submissions
HSE/2	Areas of agreement with Planning Statement of Common Ground
HSE/3	Extendibility Guidance (Chapter 9)
HSE/4	Health effects of plutonium (U.S. Environmental Protection Agency)
HSE/5	Hypothetical Multiple Facility Nuclear site
HSE/6	Site licence (29/3/00) for AWE
HSE/7	DECC Testing of Off-site Preparedness (Chapter 5)
HSE/8	Redacted HIRE for AWE (2008)
HSE/9	1992 Safety Assessment Principles
HSE/10	Statement by Dr Highton submitted to the Shyshack Lane appeal
HSE/11	Note on number of workers at AWE
HSE/12	Secretary of State's Statement on Localism Bill and Planning
HSE/13	HIRE Assessment (October 2002)
HSE/14	Review of AWE Accident Fault Sequences (June 2008)
HSE/15	HSE letter (16 September 2002) related to 3 km DEPZ
HSE/16	Redacted HIRE for AWE (2002)
HSE/17	Redacted HIRE for AWE (2005)
HSE/18	Proof/Appendices of Dr Lacey, Additional Proof
HSE/19	Proof/Appendices of Mr Robinson, Additional Proof
HSE/20	Proof/Appendices of Mr Saunders, Additional Proof, Second Additional Proof, Statement on REPPIR Leaflet
HSE/21	Proof/Appendices of Dr Highton, Additional Proof
HSE/22	Proof/Appendices of Ms Jones
HSE/23	HSE's Closing Submissions

ANNEX A

Conditions as agreed between Cala Homes (South) Ltd and Basingstoke and Deane Borough Council (with minor amendments as noted above)

- 1 The development hereby permitted shall be carried out in accordance with the following 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

- 2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
- 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 be carried out in accordance with the approved details.
- 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/planted. The approved screen walls/fences shall be erected and the hedges planted in accordance with the approved details before the relevant buildings hereby approved are first occupied, and shall subsequently be retained.

- 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.
- 6 No work relating to the construction of the development hereby approved, including works of demolition or site preparation prior to building works, shall take place before the hours of 0730 nor after 1800 on Monday to Friday, before the hours of 0800 nor after 1300 on Saturdays, nor on Sundays or recognised public holidays.
- 7 The approved bathroom windows at first floor level shall be glazed with obscured glass and shall be permanently retained in that condition.
- 8 The dwellings and commercial building hereby permitted shall not be occupied until the relevant vehicle parking and turning space has been constructed, surfaced and marked out, and cycle parking and secure storage constructed in accordance with the approved details. Those facilities shall not thereafter be used for any purpose other than parking, turning, loading and unloading of vehicles and parking/storage of cycles.
- 9 No development shall take place 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 only for the intended purpose for the duration of the construction period.
- 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. Development shall be carried out in accordance with the approved details.
- 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 desktop 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
 - (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

- (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.

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, including details of its implementation, shall be submitted to and approved in writing by the Local Planning Authority.

- 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 11(c) that any remediation scheme required and approved under the provisions of condition 11(c) has been fully implemented in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Such verification shall comprise:
 - (a) as built drawings of the implemented scheme; and
 - (b) photographs of the remediation works in progress; and
 - (c) 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 11(c).

- 13 No deliveries of construction materials or plant and machinery shall take place before the hours of 0730 nor after 1800 on Monday to Friday, before the hours of 0800 nor after 1300 on Saturdays, nor on Sundays or recognised public holidays.
- 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, and 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 buildings 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.
- 15 The commencement of the development shall not take place until a detailed scheme for protecting the development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include 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 relevant buildings hereby permitted.

- 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 on drawing 29 Rev B have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented in full prior to the occupation of the development hereby permitted.
- 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 in writing. The approved scheme shall be implemented in accordance with the approved details before the development is completed.
- 18 Prior to the occupation of the development 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 be carried out and be thereafter retained in accordance with the approved details and used in accordance with the agreed hours of illumination.
- 19 The commercial building shall be used only for purposes within 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).
- 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. The tree protection works shall be carried out before any demolition or building work is undertaken, and shall be retained in situ for the entire construction period.
- 21 Prior to the commencement of development a temporary 2 metre 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 fence shall be fully implemented before development commences and retained for the duration of the construction period.
- 22 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.
- 23 All garages constructed shall not be converted or used for any residential purpose other than as a domestic garage for the parking of vehicles.

- 24 The accesses shall be provided with splays to the highway at an angle of 45 degrees for a distance of 2 metres.
- 25 No gates shall be installed at the accesses from the highway into the site at any time.
- 26 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 to and approved by the Local Planning Authority.
- 27 No pedestrian or vehicular access, other than as shown on the approved plans, shall be formed into the site.
- 28 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.
- 29 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.
- 30 15% of the dwellings hereby approved shall be built to Lifetime Mobility standards.

APPENDIX C

Minutes of Basingstoke and Deane Development Control Committee held 25th February 2015

Minutes of the Development Control Committee held on 25th February 2015 at the Civic Offices, Basingstoke and Deane Borough Council at 18:30

Members of the Committee in attendance: Councillors D Sherlock (Chairman) S Godesen (Vice-Chairman) M Bound Mrs J Frankum G Hood R Hussey S Frost D Potter Mrs D Taylor C Tomblin

Substitutes: Councillor Mrs Tucker was replaced by Councillor Leeks and Councillor Mrs Court was replaced by Councillor Tate

Councillor Godesen was nominated as Vice-Chairman for this meeting only.

34/14 Apologies for Absence [Item 1]

There were no apologies for absence.

35/14 Declarations of Conflict of Interest [Item 2]

Councillor Mrs Frankum declared an interest on Item 5 of the Agenda on application number 14/03501/HSE as she had a pre-determined position and stepped down for this item.

Councillor Mrs Frankum declared an interest on Item 5 of the Agenda on application number 14/02200/OUT due to the land being owned by Hampshire County Council. As a County Councillor she took no part in the debate or voted on this item.

36/14 Urgent Items [Item 3]

The Planning and Development Manager updated the Committee on the appeal decision that was received on the Overton Hill application for 120 dwellings. The Inspector allowed the appeal; he stated that it would bring sufficient benefits including a notable contribution to housing supply in general particular affordable housing in the Borough where there is a shortfall of deliverable housing land.

37/14 Minutes [Item 4]

The Minutes of the meetings held on 28th January 2015 were confirmed by the Committee as a correct record and signed by the Chairman.

38/14 Applications for planning permission and public participation thereon [Item 5]

The following Public Participation took place:

<u>Interest</u>	<u>Name</u>	<u>Item no./Topic</u>
Support	Mr Thorne	Item 1 – 14/02200/OUT

Objector	Mr Watling	Item 2 – 14/02733/FUL
Support	Mr Whitmarsh	Item 2 – 14/02733/FUL
Support	Natalie Smith	Item 3 – 14/02746/FUL
Objector	Mrs Townsend-Rose	Item 4 - 14/02945/FUL
Support	Mr Acton	Item 5 – 14/03637/FUL
Objector	Mr Young	Item 6 – 14/03778/FUL
Support	Mr Coppock	Item 6 – 14/03778/FUL
Support	Mr McMillan	Item 6 – 14/03778/FUL
Councillor	Keating	Item 6 – 14/03778/FUL
Support	Mr Mulkerns	Item 7 – 14/03861/HSE
Support	Julie Shawley	Item 8 – 14/03738/HSE
Councillor	Leek	Item 8 – 14/03738/HSE
Support	Mr Bennett	Item 9 – 14/03501/HSE
Councillor	Mrs Frankum	Item 9 – 14/03501/HSE

1. Application – 14/02200/OUT: Outline planning application for the redevelopment of former Burnham Copse Infant School site for up to 36 residential units (use classC3), open space and associated car parking with all matters reserved.- Site Burnham Copse Infant School Newchurch Road Tadley Hampshire

The Committee considered the report set out on pages 1 to 21 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee felt that the primary reason for the objection in the report, was due to an objection from the Civil Contingencies Manager (West Berkshire Council) and the Office of Nuclear Regulation (ONR), who raised concern over the possible impact of the emergency plan that would be put into practice if there was a release of radioactive contamination from AWE. There was discussion that the recognised probability of an emergency at the AWE site is one in one hundred thousand years. If there was a leak most of the hazard would come from alpha radiation which cannot penetrate the outer layer of human skin, a single sheet of paper or a pane of glass, there would be no immediate health affect caused by a leak of radioactive material.

The Ward Councillors believed there was a misunderstanding with the emergency plan. They explained that if there was an evacuation it would not mean a large number of residents leaving in panic, the guidance given to residents was to stay inside your dwelling and keep all windows and doors closed.

The Committee concluded that the proposed site had the infrastructure already in place and was a sustainable location. They felt that Tadley had an immense need for additional housing and in their opinion the benefit outweighed the minimal risk.

RESOLVED that: the application be **APPROVED** subject to the following;

1) Consultation with the ONR for 21 days and taking on board any call in requirements or conditions suggested by them (delegated to officers to agree any conditions)

and

2) A legal agreement being entered into (in accordance with the Community Infrastructure Levy Regulations 2002 and Saved Policies E1, C1, C2, C9 and A2 of the Basingstoke and Deane Borough Local Plan 1996-2011) between the applicant and the Borough Council to secure:

- contribution towards Affordable Housing, BEST (Basingstoke Environmental Strategy for Transport), community facilities, open space, playing fields, play areas/recreation and allotments

Should the requirements set out above not be satisfactorily secured, then the Planning and Development Manager be delegated to REFUSE permission for appropriate reasons.

Reasons for Approval

1 Members considered that the harm in terms of increase in population within the (0-3km) Detailed Emergency PLanning Zone (DEPZ) was outweighed by the benefits it represented in terms of housing supply, affordable housing provision in a highly sustainable location.

subject to the following conditions and informatives:-

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:

Revised Layout 17.11.14 (showing number and mix of units) (received 20 Nov 2014)

House types - Revised layout 17.11.14 (received 20 Nov 2014)

Parking strategy - Revised Layout 17.11.14 (received 20 Nov 2014)

Tree strategy - Revised Layout 17.11.14 (received 20 Nov 2014)

Tree protection plan (received 20 Nov 2014)

Noise impact assessment (received 1 Dec 2014)

Letter (received 20 November 2014)

Planning design and access statement

Flood risk assessment

Transport statement

Tree report

Ground conditions assessment

Radiological impact assessment
Extended phase 1 ecological survey and phase 2 reptile survey report

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

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.
- 3 Approval of the details of the layout, scale, appearance of the proposed building(s), the means of access thereto and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.
REASON: In order to secure a satisfactory development and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 4 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is later.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004) and to prevent an accumulation of unimplemented planning permissions.
- 5 Prior to the commencement of any development, a Phasing Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Scheme shall detail the phasing timetable for the overall development, including the order within which "the reserved matters" are submitted, the demolition of existing structures, implementation and completion of the means of access(s) and the off-site highway works. Development shall proceed in accordance with the approved Phasing Scheme or any subsequent variation approved in writing by the Local Planning Authority.
REASON: In the interests of the proper planning of the development, afford the applicant with sufficient flexibility to phase the development whilst ensuring the monitoring of the timing and implementation of the permission in the interests of the delivery of housing in accordance with the National Planning Policy Framework.
- 6 Applications for the approval of reserved matters shall be in accordance with the principles and parameters described and illustrated in Design and Access Statement; with the exception of

where any of the detail approved in any of the Conditions of this permission will supersede any of the content of the plans and documents, where relevant.

REASON: To ensure an appropriate co-ordinated high quality form of development and to accord with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011 and Planning Practice Guidance.

- 7 No development shall commence on site until details of the types and colours of external materials to be used, including colour of mortar, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 8 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 levels and finished floor levels in relation to a nearby datum point (located outside the area outlined in red) which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed and thereafter maintained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the privacy of the occupiers of adjoining properties in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 9 No development or other operations shall commence on site, until a Tree Protection Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Method Statement shall detail the location and specification for the protective fencing of all retained trees and boundary hedges; identify areas for the storage and handling of building materials, a detailed specification for the utility and service installation and access driveway construction where this is adjacent to retained trees. The approved tree protection shall be erected prior to any site activity commencing and shall be maintained until the area is to be landscaped. The development shall be carried out in complete accordance with the approved Tree Protection Method Statement, unless otherwise agreed in writing by the Local Planning Authority. (Please refer to Sections 7, 8 and 9 of British Standards BS 5837 'Recommendations for Trees in Relation to Construction' 2005).

REASON: To ensure that reasonable measures are taken to safeguard protected/important landscape trees in the interests of the local amenities and the enhancement of the development itself, in

accordance with Saved Policies E1(ii) and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 10 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.

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 and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 11 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), unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 12 No development shall take place until details of a habitat enhancement scheme have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved, unless otherwise approved in writing by the Local Planning Authority. The details shall include:
- Purpose, aims and objectives for the scheme, taking into account the site's existing biodiversity;
 - A method statement for implementation of the enhancement proposals;
 - Sources of habitat materials (e.g. planting stock and its origin) if applicable;
 - Aftercare and long term management;

REASON: To help maintain the biodiversity of the area in the long-term, in accordance with Saved Policy E7 of the of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 13 No development, including any demolition works, soil moving, temporary access construction/widening, or storage of materials, shall commence until a Wildlife Protection and Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following:
details of the timing/ecological watching brief/felling procedures required to address the protection of reptiles, badgers and breeding birds before and during development works.

No development or other operations shall take place other than in complete accordance with the approved Wildlife Protection and Mitigation plan, unless otherwise agreed in writing by the Local Planning Authority.

REASON: The habitats present on site have the potential to support reptile species such as slow-worms, badgers and nesting birds. Badgers and their setts are protected under the Protection of Badgers Act (1992) and the other species are protected under the Wildlife and Countryside Act 1981. They are therefore a material consideration under Policy E7.

- 14 No development shall take place, including any works of demolition, until a Construction Method Statement with details, schedules and drawings has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking and turning of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. wheel washing facilities or an explanation why they are not necessary;
 - v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, and the preservation of sight line splays in their vicinity;
 - vi. measures to control the emission of dust and dirt during construction;
 - vii. a scheme for recycling and disposing of waste resulting from construction work; and
 - viii. the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peaks (15.15 to 16.00, 16.30 to 18.00) periods.

REASON: In the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 15 Notwithstanding the submitted details, no development shall commence until full details of the proposed garages have been submitted to and approved in writing by the Local Planning Authority. The details shall include the provision of minimum clear openings of 2.3 metres (for single garage doors), 5 metres (for double garage doors) between the frames of the garage doors and minimum internal dimensions of 3 metres by 6 metres (single garages) and 6 metres by 6 metres (double garages) as measured internally between the

supporting walls, with a headroom clearance of at least 2.3 metres. Thereafter, the garages shall be provided in accordance with the approved details and permanently retained for the purposes of the parking of vehicles and cycles.

REASON: To secure an adequate parking provision and to discourage parking on the new estate roads in order to provide safe and convenient access for all users in the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 16 Unless otherwise agreed in writing with the Local Planning Authority no development shall take place on site until details of the programme and construction of the means of site access and emergency access; including the junction layout geometry, levels, gradients, sight lines, construction and materials of the road surface and sub-layers, kerbing, haunching, interfaces with existing and new roads construction and construction and materials of drainage, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be constructed and fully implemented in accordance with the approved programme and details and shall be thereafter maintained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that satisfactory means of access to the highway is constructed in the interest of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 17 The construction of a new access to Newchurch Road or alteration of existing maintained highway shall not commence on site until an agreement has been entered into with the Local Highway Authority (Hampshire County Council) to enable alterations to the highway. The agreed highway works shall be fully implemented in accordance with a Hampshire County Council approved programme and written approval of the scheme shall be supplied to the Local Planning Authority.
REASON: In the interests of highway safety in accordance with Saved Policy E1(iii) of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 18 Unless otherwise agreed in writing with the Local Planning Authority no development shall commence on-site until details of the method of construction of the site access road and footways have been submitted to and approved in writing by the Local Planning Authority. No dwelling erected on the land shall be occupied until there is a direct connection from it, less the final carriageway and footway surfacing, to an existing highway. The final carriageway and footway surfacing shall be commenced within three months and completed within six months from the date upon which the erection is commenced of the penultimate dwelling for which permission is hereby granted.

REASON: To ensure that the access road is constructed to a satisfactory standard and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 19 A turning space or similar shall be provided within the site to enable vehicles using the site to enter and leave in a forward gear, full details of which shall be submitted to and approved in writing by the Local Planning Authority and fully implemented prior to first occupation of the building/use hereby approved. The space shall be thereafter kept available for turning at all times, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 20 No part of the development shall be occupied until car and cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof. Development shall be carried out and thereafter maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety in accordance with Saved Policies E1 and A1 and to improve provision for cyclists in accordance with Policy A2 of the Basingstoke and Deane Borough Local Plan 1996-2011

- 21 Development shall not commence on site until details of a scheme for the storage of refuse and recycling receptacles and for their regular collection, has been submitted to and approved in writing by the Local Planning Authority. The development shall not commence until the approved scheme has been fully implemented and the development shall thereafter be maintained in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of general amenity and to ensure that no obstruction is caused on the adjoining highway and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 22 No development shall take place on site until details of a comprehensive surface water drainage strategy, including on and off-site works, has been submitted to and approved in writing by the Local planning Authority, such drawings to show the position, design, materials, outfall thereof and that private surface water run-off is prevented from entering the public highway. The approved drainage system shall be constructed and provided in accordance with the approved details before the development hereby permitted is occupied or the approved use commence, whichever is the sooner, and shall thereafter be retained and maintained in accordance with the approved

details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory development in accordance, in the interests of highway safety and in accordance with Saved Policies E8 and E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 23 No development whatsoever shall take place until full details of hard and soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme has been submitted to and approved in writing by the Local Planning Authority. These details shall also include; details of parking within parking courts; means of enclosure and hard surfacing materials. The landscape works shall be carried out in accordance with the implementation programme.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Saved Policies E1(ii) and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 24 No development shall take place on site until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately-owned, domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out and thereafter maintained in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal public, nature conservation or historical significance the area in accordance with Saved Policies E1(ii) and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 25 Notwithstanding the provisions 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, C, D, E, or F of Part 1 and Class A of Part 2 of Schedule 2 of the Order shall be erected on the application site without the prior written permission of the Local Planning Authority on an application made for that purpose.

REASON: To ensure that the quality of the environment is not damaged by overdevelopment or inconsiderate design in accordance with Saved Policy E3 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 26 Applications for the approval of reserved matters shall be in accordance with Saved Policy C3 and the Housing Mix and Lifetime

Mobility Standards SPD; with particular regard to the provision of an appropriate housing mix and implementation of 15% of market dwellings being built to lifetime mobility standards.

EEASON: To ensure an appropriate co-ordinated high quality form of development and to accord with Saved Policy C3 of the Basingstoke and Deane Borough Adopted Local Plan 1996-2011 and Housing Mix and Lifetime Mobility Standards Supplementary Planning Document.

- 27 The dwellings shall achieve 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 the context of Saved Policy E1 v) of the Basingstoke and Deane Borough Local Plan 1996-2011 and Appendix 5 'Construction Statements' of the 'Design and Sustainability' Supplementary Planning Document.
- 28 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730; nor after 1800; Monday to Friday, before the hours of 08:00; 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 and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 29 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or internal painting or fitting out, 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 and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 30 All buildings submitted as part of any reserved matters application shall be a maximum of 2 storeys in height.
REASON: In the interests of the visual amenities of the area and in accordance with Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 31 Notwithstanding the provisions 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 pipes,

cables, drains or any other service provision or infrastructure shall be placed in, on, over or under the public open space / landscape buffer indicatively shown on the approved plans.

REASON: To ensure the long term protection and retention of these key landscape and biodiversity features and in the interests of the amenity of the area and to safeguard the amenities of the future properties, in accordance with Saved Policies E1, E6 and E7 of the Basingstoke and Deane Borough Local Plan 1996-2011 and the aims of the NPPF (Chapters 7 and 11).

Informative(s):-

1. 1.1 - The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 - This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 - The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

offering a pre-application advice,
seeking further information following receipt of the application,
seeking amendments to the proposed development following receipt of the application,
considering the imposition of conditions and or the completion of a s.106 legal agreement.

In this instance:

the applicant was updated of any issues after the initial site visit, was provided with pre-application advice,

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. All bat species are protected under the Conservation (Natural Habitats, &c.) Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). Legal protection covers bats and elements of their habitats. A European Protected Species licence would be required in order to allow prohibited activities, such as disturbing bats or damaging their breeding sites or resting places, for the purpose of development. It would be advisable to contact Natural England for further information in this regard on 0845 601 4523.
4. No vehicle must leave the site unless its wheels have been sufficiently cleaned so as to minimise mud being carried onto the highway. Appropriate measures, including drainage disposal, must be taken and retained for the construction period. Non-compliance may breach the Highway Act 1980.
5. Local Highway Authority and or Local Flood Authority Authorisation: With respect to the Means of Access Condition above Consent under the Town and Country Planning Acts must not be taken as approval for any works carried out within or project under or project over any footway, including a Public Right of Way, carriageway, verge or other land forming part of the publicly maintained highway nor approval for any works to an 'ordinary watercourse'. An 'ordinary watercourse' is any passage through which water flows, which is not part of a 'main river', including rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and sewers (other than public sewers). The development could involve works within the public highway and or an 'ordinary watercourse'. It is an offence to commence such works without the permission of the Local Highway Authority, and or the Local Flood Authority, both Hampshire County Council. In the interests of highway and watercourse safety the development must not commence on-site until permission has been obtained from either the Local Highway Authority and or the Local Flood Authority authorising any necessary works, including street lighting and surface water drainage, within the publicly maintained highway and or watercourse. Public Utility apparatus may also be affected by the development. Contact the appropriate public utility service to ensure agreement on any necessary alterations. Advice about works within the public highway can be obtained from Hampshire County Council's Area Office, telephone 0845 603 5633. Advice about works requiring 'ordinary

watercourse' consenting can be obtained from Hampshire County Council's Winchester Office, telephone 01962 846 746.

6. Design standards for the layout of residential estate roads including the provision of highway surface water drainage systems are provided with Hampshire County Council's (HCC) residential design guide "Companion Document to Manual for Streets" and associated guidance provided by the below link:

HCC Website - Information for Developers
<http://www3.hants.gov.uk/engineering-services/developer-information.htm>

For further information please contact HCC's Highways Development Planning team (Tel: 01962 846877, e-mail: highways.development.control@hants.gov.uk)

2. Application – 14/02733/FUL: Demolition of existing dwelling and garage and construction of 8 no. dwellings, access, car parking and cycle storage - Site 100 Homesteads Road Basingstoke Hampshire RG22 5LH

The Committee considered the report set out on pages 22 to 41 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee debated the application but felt that the site was already over developed and out of keeping with Homesteads Road. The proposed dwellings would be over the established building line and detrimental to the street scene.

RESOLVED that: the application be **REFUSED** for the following reasons:

Reasons for Refusal

- 1 The proposed development, by virtue of the number of dwellings, would be an overdevelopment of the site. This, considered with the projection of the frontage of the proposed dwellings forward of the established building line in Homesteads Road, would be out of keeping with the character of the surrounding area and its built form. Therefore the proposal would be contrary to the National Planning Policy Framework and Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Informative(s):-

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

offering a pre-application advice;
seeking further information following receipt of the application;
considering the imposition of conditions and or the completion of a s.106 legal agreement.

In this instance:

the applicant was updated of any issues after the initial site visit;
was provided with pre-application advice;
the application was acceptable as submitted and no further assistance was required.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. Application - 14/02746/FUL : Erection of 1 no. three bedroom detached dwelling and 1 no. four bedroom detached dwelling with garages, following demolition of existing bungalow. Creation of new access - Site 15 West Street Tadley Hampshire RG26 3ST

The Committee considered the report set out on pages 42 to 56 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below for the following reasons.

Reasons for Approval

- 1 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 Saved Policies E1 and D5 of the Basingstoke and Deane Borough Local Plan 1996-2011 and advice contained in the National Planning Policy Framework.
- 2 The proposed development would be of an appropriate design and relates to surrounding development in a sympathetic manner and as such complies with the National Planning Policy Framework (March 2012); Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011 and Appendix 13 of the Design and Sustainability Supplementary Planning Document 2008.
- 3 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to neighbouring properties and as such complies

with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 4 The development would not cause an adverse impact on highway safety and adequate parking would be provided to serve the proposed development and as such the proposal complies with Saved Policy A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 5 The proposal would respect the environment for trees of high amenity value and as such would comply with the council's Landscape and Biodiversity Supplementary Planning Document and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 6 The proposal would conserve the biodiversity value and nature conservation interests of the site and as such the proposal would comply with the National Planning Policy Framework (March 2012) and Saved Policy E7 of the Basingstoke and Deane Borough Local Plan 1996-2011.

subject to the following conditions and informatives:-

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:

Drawing No. 01, received 19/09/2014
Drawing No. 02, received 19/09/2014
Drawing No. 03, received 15/09/2014
Drawing No. 04A, received 08/12/2014
Drawing No. 05B, received 08/12/2014

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 details of the types and colours of external materials to be used, including colour of mortar, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 4 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking and turning of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. wheel washing facilities or an explanation why they are not necessary;
 - v. measures to control the emission of dust and dirt during construction; and
 - vi. the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods.
- REASON: In the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 5 Unless otherwise agreed in writing with the Local Planning Authority no occupation shall take place on site until the access and visibility splays as shown on drawing 'Sight Lines Plan 05B' are constructed and fully implemented. The access and visibility splays shall be thereafter maintained and retained in accordance with the approved detail.
- REASON: To ensure that satisfactory access to the highway is provided before occupation of the approved buildings in the interest of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no works shall take place on site until scheme details and a schedule for the existing access to the site to be stopped up have been submitted to and approved in writing by the Local Planning Authority. The approved scheme and schedule shall be completed immediately after opening of the new access and prior to the occupation of the buildings.
- REASON: In the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 7 No dwelling hereby permitted shall be occupied until provision for the turning of vehicles and the parking of vehicles has been made within the curtilage of the development site in accordance with the approved details and the areas of land so provided shall not be used for any purpose

other than the turning and parking of vehicles, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To provide turning in the interests of highway safety and parking in accordance with the Residential Parking Supplementary Planning Document and in accordance with Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 8 No gates shall be installed to the access of the site hereby approved at any time.

REASON: To prevent hindrance to access and the obstruction of the highway by vehicles entering the site.

- 9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or when the use hereby permitted is commenced. In addition, a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before development commences. 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, to be agreed in writing by the Local Planning Authority.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Saved Policies E1 (ii) and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 10 No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence until a scheme for tree protection, prepared by a suitable arboriculturist, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place other than in complete accordance with the approved tree protection scheme, unless otherwise agreed in writing by the Local Planning Authority. The tree protection scheme shall include the following information:

(a) A plan comprising of a drawing at a scale of not less than 1:500 showing all trees and the position of their root protection areas;

(b) A British Standard 5837 Tree Survey schedule with tree reference numbers corresponding with trees on the plan required by section a) of this condition;

- (c) The specification and location for protective fencing along with a timetable to show when fencing will be erected and dismantled in relation to the different phases of the development;
- (d) Details of mitigation proposals to reduce the impact of the removal of structures and hard standing in proximity to the tree;
- (e) Details of any levels changes within or adjacent to protection zones;
- (f) Details of the surface treatment to be applied within protection zones;
- (g) A specification and schedule of works for any vegetation management required, including pruning of trees and details of timing in relation to the construction programme;
- (h) Provision for briefing construction personnel on compliance with the plan.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with the National Planning Policy Framework (March 2012) and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 11 No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a plan showing the location of all proposed utility services has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, water and drainage. No development or other operations shall take place other than in complete accordance with the Utility Plan, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (March 2012) and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 12 The windows at first floor level on the east and west elevations of both dwellings hereby permitted shall be non opening and glazed with obscured glass. Once installed the windows 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 property and to prevent overlooking, in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 13 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 additional openings shall be inserted in the first floor elevations of both dwellings without the prior permission of the Local Planning Authority on an application made for the purpose.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 14 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.

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 and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 15 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 14(c) that any remediation scheme required and approved under the provisions of condition 14(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 14(c), unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 16 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 and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 17 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site 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 and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Informative(s):-

1.
 - 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.
 - 1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.
 - 1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

seeking amendments to the proposed development following receipt of the application;
considering the imposition of conditions and the completion of a s.106 legal agreement.

In this instance:

the applicant was updated of any issues after the initial site visit,

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.
3. Consent under the Town and Country Planning Acts must not be taken as approval for any works carried out on any footway, including a Public Right of Way, carriageway, verge or other land forming part of the

publicly maintained highway. The development could involve works within the public highway. It is an offence to commence those works without the permission of the Highway Authority, Hampshire County Council. In the interests of highway safety the development should not commence on-site until permission has been obtained from the Highway Authority authorising any necessary works within the publicly maintained highway. Public Utility apparatus may also be affected by the development. Contact the appropriate public utility service to ensure agreement on any necessary alterations. Advice on this matter can be obtained from Hampshire County Council's Area Office, telephone 0845 6035633, and HCC website.

4. If at any time during the proposed works bats, or signs of bats, are found then all works must stop and advice should be sought from Natural England before any further work on the buildings proceeds. All bats and their roost sites are protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 from disturbance and harm.
5. The applicant's attention is also drawn to the protection of breeding birds under the Wildlife and Countryside Act 1981. This makes it an offence to kill or harm birds or damage or destroy their eggs. To avoid contravening these provisions it would be advisable to avoid carrying out any work that might damage an active nest during the bird breeding season (March to August inclusive).

4. Application - 14/02945/FUL : Stoke Lodge Residential Home 85 Cliddesden Road Basingstoke Hampshire - Site Erection of a detached annexe to the rear of Stoke Lodge

The Committee considered the report set out on pages 57 to 69 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the application and felt that the proposed annexe would cause an adverse effect on highway safety and that there was not adequate parking available to serve the proposed development.

The Committee highlighted their concern over the potential noise and disturbance that could be caused by the additional increase of use, which would have a detrimental effect on the neighbouring residents.

RESOLVED that: the application be **REFUSED** for the following reasons:

Reasons for Refusal

- 1 The proposed development would intensify the existing use of the site, thus exacerbating existing noise and disturbance to neighbours to the detriment of their residential amenity. As such the development would be contrary to the National Planning Policy Framework and to Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 2 The proposed development would intensify the existing use of the site, thus exacerbating existing parking difficulties associated with the site and leading to increased pressure for on street parking in the vicinity of the site. In addition it has not been demonstrated in the application how traffic to the site would be suitably managed. As such the development would be contrary to the National Planning Policy Framework and to Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 3 The proposed development, by virtue of its scale and design would be an overdevelopment of the site to the detriment of the residential character of the host building and the surrounding built form and would therefore contrary to the National Planning Policy Framework and Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Informative(s):-

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

seeking further information following receipt of the application;
considering the imposition of conditions.

In this instance:

the applicant was updated of any issues after the initial site visit.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

5. Application - 14/03637/FUL: Erection of 2 no. detached dwellings with detached garages - Site Land Adjacent To The Garden House The Glen Pamber Heath Tadley

The Committee considered the report set out on pages 70 to 92 of the agenda and other matters discussed at the meeting.

The Committee debated the application and felt that the proposed development was of an appropriate design in a sympathetic manner and would not overbear neighbouring properties.

RESOLVED that: The applicant be invited to enter into a legal agreement (in accordance with the Community Infrastructure Levy Regulations 2010 and Policies C1, C2, C9 and A2 of the Basingstoke and Deane Borough Local Plan 1996-2011) between the applicant and the Borough and County Councils to secure:

- additional seating and furniture in nearby open space; and
- a roundabout or springy/see-saw Burney Bit open space

Should the requirements set out above not be satisfactorily secured, then the Planning and Development Manager be delegated to REFUSE permission for appropriate reasons.

On completion of the legal agreement(s) below and subject to no additional adverse material planning objections being raised prior to the expiry of the publicity period the Planning and Development Manager be delegated to grant planning permission subject to the following conditions:

Reasons for Approval

1 The proposed development respects the character of its surroundings in terms of plot size, layout, design and form and as such complies with the National Planning Policy Framework (March 2012) and Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

2 The proposal would conserve the biodiversity value and nature conservation interests of the site and as such the proposal would comply with the National Planning Policy Framework (March 2012) and Saved Policy E7 of the Basingstoke and Deane Borough Local Plan 1996-2011.

3 .The proposed development would be of an appropriate design and relates to surrounding development in a sympathetic manner and as such complies with the National Planning Policy Framework (March 2012), Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011; and Appendix 7 of the Design and Sustainability Supplementary Planning Document.

4 The proposed development would not result in an undue loss of privacy or outlook or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to neighbouring properties and as such complies with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

5 The proposal would respect the environment for trees of high amenity value and as such would comply with the council's Landscape and Biodiversity Supplementary Planning Document and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011

6 The development would not cause an adverse impact on highway safety and adequate parking would be provided to serve the proposed development and as such the proposal complies with Saved Policy A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

7 The proposed development preserves the landscape character and scenic quality of the area and as such is considered to accord with the National Planning Policy Framework (March 2012) and Saved Policy E6 of the Basingstoke & Deane Borough Local Plan 1996-2011.

subject to the following conditions and informatives:-

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:

Location Plan No L.01 received on 02/12/2014

Proposed Site Plan No P.01 rev D received on 02/12/2014

Block Plan No B.01 rev A received on 02/12/2014

Plot 2 - Proposed Floor Plans No P.05 rev C received on 02/12/2014

Plot 2 - Proposed Front Elevation No P.06 rev D received on 02/12/2014

Plot 2 - Proposed Elevation No P.07 rev E received on 02/12/2014

Proposed Site Section No P.08 rev A received on 02/12/2014

Tree Survey No T.01 rev B received on 02/12/2014

Plot 1- Proposed Floor Plans No P.02 received on 02/12/2014

Plot 1- Proposed Elevations No P.04 received on 02/12/2014

Plot 1- Proposed Front Elevation No P.03 received on 02/12/2014

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 details of the types and colours of external materials to be used, including colour of mortar, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out

and thereafter maintained in accordance with the details so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 4 No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority

REASON: In the interests of visual amenity and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 5 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 dwellings hereby approved are commenced and shall subsequently be maintained. 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, details of which shall be agreed in writing by the Local Planning Authority before replacement occurs

REASON: In the interests of the amenities of the area and the privacy of the occupiers of the adjoining residential properties in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 6 Notwithstanding the detail submitted no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or when the use hereby permitted is commenced. In addition, a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before development commences. 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, to be agreed in writing by the Local Planning Authority.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Saved Policies E1 (ii) and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement that demonstrates safe and coordinated systems of work affecting or likely to affect the public highway and or all motorised and or non-motorised highway users, has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall include for:

- i. means of access (temporary or permanent) to the site from the adjoining maintainable public highway, including the Public Right of Way;
- ii. the parking and turning of vehicles of site operatives and visitors off the public highway (all to be established within one week of the commencement of development);
- iii. loading and unloading of plant and materials away from the maintainable public highway;
- iv. storage of plant and materials used in constructing the development away from the maintainable public highway;
- v. wheel washing facilities or an explanation why they are not necessary;
- vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vii. measures to control the emission of dust and dirt during construction;
- viii. a scheme for recycling and disposing of waste resulting from construction work;
- ix. the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (08.00 to 09.00) and PM peak (16.30 to 18.00) periods; and
- x. the routes to be used by construction traffic to access and egress the site so as to avoid undue interference with the safety and operation of the public highway, including the Public Right of Way and adjacent roads, including construction traffic holding areas both on and off the site as necessary.

REASON: To ensure that the construction process is undertaken in a safe and convenient manner that limits impact on local roads and the amenities of nearby occupiers, the area generally and in the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 8 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.

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 and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 9 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 8(c) that any remediation scheme required and approved under the provisions of condition 8(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 8(c), unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 10 Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the Arboricultural report prepared by Green Earth Arboricultural & Environmental Consultancy - and proposed site plan red 14.457 P.01 D. Any deviation from the works prescribed or methods agreed in the report or the plan will require prior written approval from the Local Planning Authority.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (March 2012) and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 11 No development shall commence on-site before visibility splays of 1.5 metres by 15 metres, looking left at exit, at the junction of the site access with the public highway Public Right of Way Pamber Footpath Nos 33, have been provided and this splay shall thereafter be permanently kept free of obstacles between 0.6 metres and 2.0 metres above the level of the adjacent surface of The Glen.

REASON: In the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 12 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or fitting out, 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 and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 13 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site 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 and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011

- 14 No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a plan showing the location of all proposed utility services has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, water and drainage and they shall be positioned to avoid encroachment into the root protection areas of retained trees as identified by the tree survey prepared by Green Earth Arboricultural & Environmental Consultancy. No development or other operations shall take place other than in complete accordance with the Utility Plan, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with the National Planning Policy Framework (March 2012) and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 15 All wildlife protection and mitigation measures shall be carried out in accordance with the Ecological Method Statement submitted by AA Environmental dated August 2014. The development shall be carried out in accordance with the approved report, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To help protect and enhance the biodiversity of the area in the long-term, in accordance with Policy E7 of the Basingstoke and Deane Borough Local Plan and the National Planning Policy Framework.
- 16 The development shall be completed and thereafter maintained in accordance with the level details as shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interest of the visual amenities of the area and to protect the privacy of the occupiers of adjoining properties in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 17 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, C, E and F of Part 1 of Schedule 2 of the Order shall be erected on the application site without the prior written permission of the Local Planning Authority on an application made for that purpose.

REASON:: In the interests of the amenity of the area and to safeguard the amenities of the adjoining properties and trees and existing vegetation on the site, in accordance with Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 18 Unless otherwise agreed in writing with the Local Planning Authority no development shall commence on-site for the development hereby approved until details of the private rights for motorised and non-motorised access from the public highway to the boundary of the site have been established and submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that a satisfactory means of access is provided to the public highway and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 19 The surface water drainage system shall be set out in accordance with the approved drainage strategy and to current industry best practice prior to the site being occupied; and shall be regularly maintained thereafter in line with industry best practice. In addition any soakaways and other rainwater harvesting systems to be installed shall be installed outside of the root protection areas of the retained trees on site.

REASON: To ensure the volume and quality of surface water run-off is appropriate and to minimise any risk of flooding and in accordance with Saved Policy A7 of the Basingstoke and Deane Borough Local Plan 1996-2011 and to ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 20 The windows to be obscurely glazed, as shown on the approved drawings, shall be glazed with obscured glass precise details of which, together with details of any means of opening, shall be submitted to and approved in writing by the Local Planning Authority before installation 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 property and to prevent overlooking, in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 21 The development hereby permitted shall not be occupied or the approved use commence, whichever is the sooner, until secure cycle parking facilities for 2 long and 1 short stay places for Plot 1, have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof. The approved secure cycle storage shall be constructed and fully implemented before occupation or the approved use commences, whichever is the sooner, and thereafter maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To improve provision for cyclists and discourage the use of the private car wherever possible and in accordance with Saved Policy A2 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 22 The development hereby permitted shall not be occupied or the use commence, whichever is the sooner, until provision for turning (enter, turn and leave in a forward gear), manoeuvring, loading and unloading of vehicles and the parking of 4 vehicles to each dwelling (Plot 1 and Plot 2), together with unobstructed pedestrian access (minimum width 0.9 metres) to the primary entrance of each property, have been made within the curtilage of the property and the areas of land so provided shall be thereafter maintained and shall not be used for any purposes other than the turning, manoeuvring, loading and unloading and parking of vehicles, and access for pedestrians, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and in accordance with Saved Policies E1, A1 and A2 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 23 The double garage (Plot 2) and double car port (Plot 1) hereby permitted shall have minimum internal dimensions of 6 metres by 6 metres and shall be provided within the curtilage of the site in the positions shown on the approved drawings, each vehicle shall have independent unobstructed vehicular access/egress via a minimum horizontal clear opening between the frames of each set of vehicular garage doors of 2.3 metres or 2.3 metres between the vertical supports of the car port.

REASON: To ensure adequate on-site parking provision and to discourage parking on the adjoining highway in the interest of local amenity and highway safety and in accordance with Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 24 The garage and car port so provided shall be retained and used solely for purposes incidental to the enjoyment of the private dwelling house and shall not be used in connection with any trade, business, profession or commercial enterprise. The garage or car port so provided shall not be converted or used for any residential purpose other than as a domestic garage or car port for the parking of vehicles and bicycles in the garage.

REASON: To ensure adequate on-site parking provision and to discourage parking on the adjoining highway in the interest of local amenity and highway safety and in accordance with Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 25 There shall be no burning on site of waste materials including demolished materials, trees, greenery etc.

REASON: To protect the amenities of the occupiers of nearby properties.

Informative(s):-

1.
 - 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.
 - 1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.
 - 1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-
 - offering a pre-application advice service;
 - seeking further information following receipt of the application;
 - seeking amendments to the proposed development following receipt of the application;
 - considering the imposition of conditions and or the completion of a s.106 legal agreement.

In this instance:

the applicant was updated of any issues after the initial site visit, was provided with pre-application advice,

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The developer should satisfy themselves that they have the relevant access right to the site along 'The Glen' to gain access to and from the public highway before commencing development on the site.

4. With regard to condition 6 the applicant is advised that the advice of the landscape officer is followed and that the scheme should include:

Planting that will provide a reasonable back-drop of green structure when viewed between the gaps in the houses on Impstone Road. The Landscape officer suggests a number of small species trees are planted, according to good practice (at least 500mm away from any fence or structure), along the southern boundary of the site.

With regard to the landscaping condition the applicant is advised that the landscaping scheme to be submitted should include new trees and shrubs to be planted within the site, along the southern, western and northern boundaries, and in the areas to the south of the garages, as well as to replace those trees which are identified to be removed.

In addition the submitted should involve careful selection of species, especially trees, with regard to their future management and sustainability i.e. large species trees will not be sustainable in these relatively compact locations. Trees should therefore be small to medium sized species. In terms of shrubs I view most species as acceptable but I will not accept Cherry Laurel (*Prunus laurocerasus*) as it is invasive and difficult to manage

5. The applicant is advised that the access to the proposed development is along Pamber Footpath no. 33. and the applicant is made aware that:-

All vehicles, including those of contractors and deliveries, would be accessing the site via a public footpath and should give way to public users at all times.

Hampshire County Council, as Highway Authority, is not obliged to provide a surface suitable for the passage of vehicles. It only has a duty to maintain a right of way to a standard commensurate with its expected normal public use.

There must be no surface alterations to the right of way, nor any works carried out which affect its surface, without prior permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980. (Offence under HA1980 s131(1)(b)) We would therefore urge the applicant to contact us as soon as possible to discuss any such proposed work.

Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for safe public use at all times.

In addition, no builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

6. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

6. Application - 14/03778/FUL: Erection of 1 no. two bedroom bungalow with attached garage and creation of new cross over access - Site 197 Old Worting Road Basingstoke Hampshire RG22 6NS

The Committee considered the report set out on pages 93 to 104 of the agenda and other matters discussed at the meeting.

The Committee discussed the application and had mixed views on the proposed development of the rear garden of 197 Old Worting Road.

Some members felt that the proposed development does not reinforce attractive qualities of local distinctiveness as stated in Policy E1 and would change the character of the traditional houses in the local area.

Other members stated that the proposed development was on a large plot and they believed that there were no sound planning reasons to refuse the application.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below for the following reasons.

the application be **APPROVED** subject to the conditions listed below and for the following reasons.

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 the National Planning Policy Framework (March 2012) and Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 2 The proposed development would be of an appropriate design and relates to surrounding development in a sympathetic manner and as such complies with the National Planning Policy Framework (March 2012); Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011 and

Appendix 13 of the Design and Sustainability Supplementary Planning Document 2008.

3 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to neighbouring properties and as such complies with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

4 The development would not cause an adverse impact on highway safety and adequate parking would be provided to serve the proposed development and as such the proposal complies with Saved Policy A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

subject to the following conditions and informatives:-

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:

Drawing No. 14/1220-1 A, received 04/02/2015

Drawing No. X01 A, received 04/02/2015

Drawing No. X02 B, received 04/02/2015

Drawing No. X03, received 12/12/2014

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 details of the types and colours of external materials to be used, including colour of mortar, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 4 No development shall commence on-site until details of the method of construction of the new means of access to the property, including materials and finishes, visibility sightlines, and surface-water drainage details that prevents surface water run-off from the site entering the

public highway, have been submitted to and approved in writing by the Local Planning Authority. The approved access details shall be constructed and fully implemented before development commences on the dwelling permitted itself, and shall be thereafter maintained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that a satisfactory means of access to the highway is constructed before the approved buildings in the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 5 The dwelling hereby permitted shall not be occupied until provision for the turning of vehicles and the parking of two vehicles and secure cycle storage for 2 long and 1 short stay cycles has been made within the curtilage of the development site in accordance with the approved details and the areas of land so provided shall not be used for any purpose other than the turning and parking of vehicles, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To provide turning in the interests of highway safety and parking in accordance with the Residential Parking Supplementary Planning Document and in accordance with Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 6 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.

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 and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 7 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 6(c) that any remediation scheme required and approved under the provisions of condition 6(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 6(c), unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 8 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 and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 9 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site 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 and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 10 The garage so provided shall be constructed and located in accordance with the approved drawings and shall have a minimum horizontal clear opening between the frames of the vehicular doors of 2.3 metres. The garage so provided shall be retained and used solely for purposes incidental to the enjoyment of the private dwelling house and shall not be used in connection with any trade, business, profession or commercial enterprise. The garage so provided shall not be converted or used for any residential purpose other than as a domestic garage for the parking of vehicles and bicycles.
REASON: To ensure adequate on-site parking provision and to discourage parking on the adjoining highway in the interest of local amenity and highway safety and in accordance with Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.
- 1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.
- 1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must

be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

offering a pre-application advice;
seeking further information following receipt of the application;
considering the imposition of conditions and the completion of a s.106 legal agreement.

In this instance:

the applicant was updated of any issues after the initial site visit was provided with pre-application advice

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. Consent under the Town and Country Planning Acts must not be taken as approval for any works carried out on any footway, including a Public Right of Way, carriageway, verge or other land forming part of the publicly maintained highway. The development could involve works within the public highway. It is an offence to commence those works without the permission of the Highway Authority, Hampshire County Council. In the interests of highway safety the development should not commence on-site until permission has been obtained from the Highway Authority authorising any necessary works within the publicly maintained highway. Public Utility apparatus may also be affected by the development. Contact the appropriate public utility service to ensure agreement on any necessary alterations. Advice on this matter can be obtained from Hampshire County Council's Area Office, telephone 0845 6035633, and HCC website.

7. Application - 14/03861/HSE: Demolition of existing side conservatory/utility and erection of new single storey side/rear extension and internal alterations including conversion of garage/store - Site 18 Eastrop Lane Basingstoke Hampshire RG21 4AS

The Committee considered the report set out on pages 105 to 110 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below and for the following reasons.

Reasons for Approval

- 1 The proposed development would be of an appropriate design and relates to surrounding development in a sympathetic manner and as such complies with the National Planning Policy Framework (March 2012); Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011 and Appendix 13 of the Design and Sustainability Supplementary Planning Document 2008.
- 2 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing, noise and disturbance impacts to neighbouring properties and as such complies with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 3 The proposed development would not cause an adverse impact on highway safety and adequate parking would be provided to serve the development and as such the proposal complies with Saved Policy A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

subject to the following conditions and informatives:-

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:

Location Plan 1:1250 received 19/12/2014

Drawing no. 01 received 19/12/2014

Drawing no. 06A received 05/02/2015

Drawing no. 07A received 05/02/2015

Drawing no. 08A received 05/02/2015

Drawing no. 09A received 05/02/2015

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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 4 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 additional openings shall

be inserted in the north elevation of the building without the prior permission of the Local Planning Authority on an application made for the purpose.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 5 The windows at ground floor level on the north elevation shall be glazed with obscured glass. Once installed the windows 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 property and to prevent overlooking, in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

In this instance:

the applicant was updated of any issues after the initial site visit.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

8. Application - 14/03738/HSE: Proposed two storey side and rear extensions and erection of detached double garage following demolition of existing extension and outbuildings.- Site Tarnagulla 17 Monk Sherborne Road Ramsdell Hampshire

The Committee considered the report set out on pages 111 to 116 of the agenda and other matters discussed at the meeting.

The Committee debated the application and believed that the current dwelling is very small and needs to be enlarged to make it habitable. In addition they agreed that the proposed extension had an empathetic design to the existing dwelling.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below and for the following reasons.

Reasons for Approval

- 1 The proposed development would be proportionate in terms of scale and form to the existing dwelling and therefore would be in keeping with the character of the area and the street scene. The development therefore accords with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan (1996-2011) and the National Planning Policy Framework (NPPF).

subject to the following conditions and informatives:-

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:

PL01 Rev A - Location Plan received 03/02/15
PL02 - Existing Floor Plans and Elevations received 10/12/14
PL03 - Proposed Floor Plans received 10/12/14
PL04 Rev A - Proposed Elevations received 22/01/15
PL05 Rev B - Block Plan received 22/01/15
PL06 Rev A - Proposed Garage received 22/01/15

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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those

on the existing building unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 4 The garage hereby approved shall be retained and used solely for purposes incidental to the enjoyment of the private dwelling house and shall not be used in connection with any trade, business, profession or commercial enterprise. The garage hereby approved shall not be converted or used for any residential purpose other than as a domestic garage for the parking of vehicles and cycles.

REASON: To ensure adequate on site parking provision and to discourage parking on the adjoining highway in the interest of local amenity and highway safety; and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

Seeking amendments to the proposed development following receipt of the application.

In this instance:

The applicant was updated of any issues after the initial site visit.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

9. Application - 14/03501/HSE: Conversion of detached garage to children's playroom - Site 22 Barrington Drive Basingstoke Hampshire RG24 9RS

The Committee considered the report set out on pages 117 to 123 of the agenda and other matters discussed at the meeting.

The Committee discussed the parking issues in this residential area but decided that the property had sufficient off-road parking spaces available.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below for the following reasons.

Reasons for Approval

1 The proposed development would be of an appropriate design and relates to surrounding development in a sympathetic manner and as such complies with the National Planning Policy Framework (March 2012); Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011 and Appendix 13 of the Design and Sustainability Supplementary Planning Document 2008.

2 The proposed development is appropriate in design terms and would neither dominate or compete with the host building and as such complies with the National Planning Policy Framework (March 2012); Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011 and Appendix 13 of the Design and Sustainability Supplementary Planning Document.

3 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to neighbouring properties and as such complies with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

4 The development would not cause an adverse impact on highway safety and adequate parking would be provided to serve the proposed development and as such the proposal complies with Saved Policy A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

subject to the following conditions and informatives:-

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:

Location plan, received 18/11/14
Site plan, received 18/11/14
Proposed garage conversion (parking plan), received 18/11/14
Proposed structure 1 of 2, received 18/11/14
Proposed structure 2 of 2, received 18/11/14

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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building unless otherwise agreed in writing with the Local Planning Authority.
REASON: In the interests of visual amenity and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 4 The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 22 Barrington Drive as a dwelling and shall not be sold off, sub-let or used as a separate unit of accommodation.

REASON: The unit of accommodation is not in a satisfactory position and has insufficient private amenity space to be occupied separately from the main dwelling and in accordance Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.
- 5 The development hereby permitted shall not be occupied or the use commence, whichever is the sooner, until provision for manoeuvring, loading and unloading of vehicles and the parking of 3 vehicles and secure bicycle parking for 2 long and 1 short stay places, together with unobstructed pedestrian access (minimum width 0.9 metres) to the primary entrance of the property, have been made within the curtilage of the property and the areas of land so provided shall be thereafter maintained and shall not be used for any purposes other than the turning, manoeuvring, loading and unloading and parking of vehicles and bicycles, and access for pedestrians, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety and in accordance with Saved Policies E1, A1 and A2 of the Basingstoke and Deane Borough Local Plan 1996-2011.

- 6 The development hereby permitted shall not be occupied or the approved use commence, whichever is the sooner, until refuse and recycling storage (prior to disposal), plus a collection point for 2 number 240ltr refuse Wheelie bins and 1 number glass box, provided not more than 15 metres carrying distance from a highway which is a carriageway, have been provided within the curtilage of the site and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

considering the imposition of conditions

In this instance:

the application was acceptable as submitted and no further assistance was required.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

39/14 Appeal Decisions Quarterly Summary Report [Item 6]

The Planning and Development Manager introduced the report which gave a summary analysis of the appeal decisions received from the 01.11.2014 to 31.01.2015. This highlights some of the issues drawn out by the Inspectors in arriving at their decision and which should be taken into account when future decisions are made, but is by no means a summary of all the issues referred to in the Inspectors' decision notices.

RESOLVED that Members of the Development Control Committee note the outcomes of the appeal decisions and the reasons given for those decisions.

The meeting ended at 21:33

CHAIRMAN

APPENDIX D

A Review of the Policy Approach to Tadley and the Rural Area

Rural Solutions

Basingstoke and Deane Local Plan 2011-2029

A review of the policy approach to Tadley and the Rural Area

Prepared for: Gladman Developments Limited

Prepared by: Rural Solutions Ltd

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I. Introduction

- 1.1 This paper has been produced by Rural Solutions Limited to inform Gladman Development Limited's (GDL) submissions to the Examination of the Basingstoke and Deane Local Plan 2011-2029. It addresses two issues, the Council's approach to housing development in Tadley and in the rural area.
- 1.2 The paper will provide the Inspector with information on the appropriateness and effectiveness of the Council's proposed approach towards allocating new housing.
- 1.3 The paper has been produced following a review of the Pre-Submission Local Plan and its evidence base, including documents submitted in response after the submission of the plan to examination, including to the mid-examination consultation on proposed main modifications during March 2015.
- 1.4 In producing this paper Rural Solutions has drawn upon its extensive experience in sustainable rural development and particularly on its work into understanding and assessing social and economic sustainability [in general] and the vitality of rural settlements against the context set by national planning policy and guidance. In the last 12 months Rural Solutions has assessed the sustainability and vitality of over 80 individual settlements across England using a methodology and approach that has been tested under cross examination at a series of Public Planning Inquiries.

Purpose and Contents

- 1.5 This supplementary document sets out Rural Solutions analysis for the benefit of the Inspector, to inform GDL in the preparation of their submission and to support GDL's participation in the relevant hearing sessions.

Summary of Key Findings

- 1.6 The analysis demonstrates that the Plan as currently formed fails to take proper account of the potential of Tadley to host sustainable development, the need for new development in Tadley and the implications of failing to plan positively for Tadley.
- 1.7 The report also challenges the proposed allocation to the rural area of the Borough. It sets out that it is a requirement of national policy to plan positively for rural areas and demonstrates the risks associated with failing to do so.
- 1.8 The report recommends that the allocation for the rural area be increased and provision made for the development of new housing in all kinds of settlements in rural areas, including the villages listed and categorized in the Council's 2009 Settlement Study.

2. Role, Function and Characteristics of Tadley

- 2.1 This section of the paper provides a summary of the characteristics of Tadley and its role as prescribed by the emerging Local Plan.
- 2.2 Tadley is situated within Basingstoke and Deane borough in the county of Hampshire. The town of Tadley is situated at the centre of the Parish of Tadley, which is recorded by the Office of National Statistics as having a population of 11,473 in 2011.
- 2.3 The town is situated approximately 6.3 miles (10km) north of Basingstoke, 11.7 miles (18.8km) south east of Newbury and 12.3 miles (19.7km) south west of Reading. The Parish of Tadley lies in the north west of Hampshire and is adjacent to the border with Berkshire. It is located just 50 miles from London with good access to the M4 and M23 motorways.
- 2.4 Basingstoke and Deane Council has categorized the role and function of Tadley as a “Service Centre” in its report “The Sustainability of Settlements in Basingstoke and Deane June 2008”¹. This report describes Tadley as one of the three larger centres, other than Basingstoke, which were considered to “contain a range of services, facilities and employment opportunities and have high accessibility by public transport. The report concludes that these centres “may be suitable for expansion of an appropriate scale (together with infilling and redevelopment) in order to maintain their services and support their role in the wider hinterland.”
- 2.5 Tadley is also categorized by the Council as a “District Centre” in the retail hierarchy set out in the draft Local Plan. This categorization recognises Tadley’s existing range of facilities and services. A review of services in Tadley has identified that the town has a range of services and facilities that provide for the local community. These include a large Sainsbury’s, a Co-op supermarket and other small

¹ Basingstoke and Deane Borough Council’s Local Development Framework: Core Strategy Evidence Base HO07 - The Sustainability of Settlements in Basingstoke and Deane Borough Council – a Draft Settlement Hierarchy (June 2008)

shops as well as a number of pubs and restaurants. A list of services is included in Appendix I.

- 2.6 Tadley hosts a number of schools including Bishopswood Infant School, Bramley Church of England School, Burnham Copse Primary School, Tadley Community Primary School and the fee paying Grantham Farm Montessori School. The secondary school for Tadley is located in the adjacent community of Baughurst (Hurst Community College). With regards to medical services, Tadley is served by two surgeries both of which are part of the Tadley Medical Partnership in addition to two dental practices.
- 2.7 The town is served by an excellent bus service to Basingstoke with buses running every 15 minutes during peak times. The service runs from Monday to Friday with the first bus at 06:19 and the last bus of the day departing at 21:09 apart from Fridays when it departs at a later time of 22:19. On Saturdays the service runs from 07:14 until 22:29, with regular services running every 20 minutes during the hours of 10:11 to 18:31. There are fewer services on Sunday starting at 08:52 at 1 hour intervals until 10:52 when it runs every 30 minutes with the last bus departing at 19:48. It also provides access to North Hampshire Hospital if residents are unable to drive themselves.
- 2.8 Tadley supports a vibrant community which benefits from strong leadership and organisations such as the Town Council, schools and churches. Residents of Tadley benefit from good access to a range of community facilities such as the community centre. There are many ways for residents to participate in local activities including sports teams, community events and various PTA fundraising events. Clubs and societies in Tadley cater for different age groups and interests and provide local residents opportunities to engage in the local community.
- 2.9 Examples include activities hosted in the community centre which is for social and leisure activities including yoga classes, dance classes, badminton, pre-school club-Tadley under 5's Preschool, Cheeky Chimps Mother and Toddler Group and the Community Cinema which takes place monthly.

- 2.10 Other community groups in the settlement include The Royal British Legion Tadley Branch, Tadley Concert Brass Band, Tadley and District Historical Society (TADS), Tadley Squash Club, Tadley Cricket Club, Tadley Short Mat Bowls, Tadley Youth Drama, 1st Tadley Brownies (Girl-Guiding) and Tadley Scouts group (including Beavers and Cubs).
- 2.11 However, Tadley's ability to meet the needs of its residents is not comprehensive and areas where investments and improvements are needed have previously been identified.
- 2.12 Basingstoke and Deane Council's 2009 Sustainability of Settlements Report includes reference to a 2007 Tadley Town Council survey which identified needs for additional services including:
- Household recycling centre
 - Additional parking facilities
 - Affordable housing
 - Nursing homes/sheltered accommodation
 - Eco-buildings
 - More shops/leisure facilities
 - Strong support for a new NHS dentist facility.
 - Strong support for more employment opportunities.
- 2.13 Tadley plays an economic role. The population of Tadley experience good levels of employment, with 61.2% of the population in employment, the same as the District average and higher than the regional and national average.
- 2.14 The Council's Rural Housing Study reports that the District's labour pool is substantively retained locally and that significant numbers of people living in Tadley work in or around Basingstoke. Travel to work data for the Parish of Tadley supports this conclusion, showing an average distance for travel to work journeys of 14.3 km, less than the national average and better than both the District and regional averages.

- 2.15 A figure more than double the national average for the population employed in public administration and defence industries likely reflects the proximity to the AWE Aldermaston facility outside the town.
- 2.16 Within Tadley itself, employment opportunities exist within the public sector such as at the local schools, the medical centre and within the commercial sector in office, retail and services businesses.
- 2.17 Beyond the village, analysis of data from the Valuation Office Agency (VOA) shows that there are also a significant number of employment opportunities within a 20 minute drive time of Tadley (at peak hours). Floorspace is recorded for some categories of business, with 1,941,966 sq m of floorspace recorded overall and a total Rateable Value of £151 million². Analysis of the type of workspace using space standards suggests that in the 20 minute peak hour drive time catchment of Tadley there are approximately 38,206 office jobs³ and 10,482 production jobs based upon recorded office space extending to 458,473 sq m and 6419,275sq m of production space. These include rural business parks such as Ash Park Business Centre & Berry Court Farm (Little London), Campbell Court & Cufaude Business Park and Minchens Court (Bramley), Folly Farm (Ramsdell).
- 2.18 It is clear from the evidence that Tadley is an important local centre within the Basingstoke and Deane District. It hosts services and facilities that meet many of the every-day needs of people that live in the settlement. Tadley also plays a service centre role for other smaller settlements, including larger villages such as Kingsclere. In the normal course of events it would be reasonable to expect a new local plan to seek to enable development of all kinds in and in close proximity to Tadley and to include sites at Tadley in allocations for housing and employment land.

² VOA data

³ Based on ratios of 12 sq m per job for office space and 40 sq m per job for production space (HCA / OffPAT)

3. Analysis of Basingstoke and Deane Council's Proposed Policy Approach to Tadley & Implications Arising

- 3.1 This section of the paper summarises the proposed policy approach for housing distribution and delivery in the District and implications for the sustainability and future health and vitality of Tadley.

Policy Summary

- 3.2 The emerging Basingstoke and Deane Local Plan was submitted to the Secretary of State for examination on 9th October 2014. Following submission on 21st October the Inspector wrote to the Council expressing some initial concerns with the plan, including on the Councils objective assessment of housing need (OAHN) which he considered fell well short of the figure from the South East Plan and towards the bottom of the figures suggested by Edge consultants in their evidence base work.
- 3.3 The overall approach to housing development over the plan period is set out in Policy SSI Scale and Distribution of New Housing. This sets out how within the plan period 2011-2029 the Local Plan would make provision to meet 13,464 dwellings.
- 3.4 Following on from these initial comments and a subsequent exploratory meeting held in December 2014, the Council undertook some additional exploratory work including the updating of relevant evidence based reports. As a consequence, the Council stated in a report to Cabinet in March 2015 that the decision to increase the OAN need figure to 850 dpa. This thus would increase the overall figure over the plan period to 15,300 dwellings.
- 3.5 As set out in the Councils' Housing Topic Paper May 2015, the majority of this additional provision was proposed to be met by an additional strategic allocation to the Basingstoke (BAS133 – Hounsme Fields).

Tadley

- 3.6 Despite Tadley's classification as one of only three higher tier Service Centres after Basingstoke⁴, no allocation of development sites or housing numbers are proposed for the town. The Council's Housing Topic Paper states this is due to an agreed approach following engagement with the Office for Nuclear Regulation to not allocate sites for development within the consultation zones, which covers the whole of the town.
- 3.7 Tadley is therefore excluded from the allocation process and subject to a policy of restraint (Policy SS7 refers). The Plan takes the position that needs [for housing, infrastructure and employment] arising in and associated with Tadley will be met elsewhere in the Borough (LP 3.1).
- 3.8 It is our view that the justification offered in the Council's EiP Topic Paper 2 Overview and Context (paragraphs 4.30 to 4.31) for this approach is weak and based more on a perceived risk to the soundness of the plan arising from the potential for uncertainty around the deliverability of any allocated sites in Tadley than an objective to plan positively to enable sustainable development and meet current and future housing needs.
- 3.9 It is not clear whether the Council has explored the implications of this approach despite the clear economic and social impacts arising from the approach identified and acknowledged in the Council's Sustainability Appraisal.
- 3.10 No detailed assessment of the impact of this policy approach for Tadley and its community appears to have been carried out, nor any scenario planning to consider the outcomes of an alternative approach.
- 3.11 There appears to be no analysis about the impact of this strategy on the community and vitality of Tadley and other settlements that use it as a service centre, and how to mitigate that impact. For example this is not addressed in the retail or town

⁴ Basingstoke & Deane Draft Settlement Sustainability Study 2009

centre policies; or those relating to the importance of services and facilities (LP 5.64 and 5.65).

3.12 Paragraph 3.8 of the LP states that Basingstoke town centre and the District centres at Brighton Hill, Chineham, Overton, Tadley and Whitchurch, together with smaller local centres such as Kingsclere and Bramley will continue to act as the key focus for shopping and other town and village centre uses. These places will play a significant role in maintaining and enhancing the prosperity of the Borough. The implications of restricting housing development and thus population growth in Tadley on this objective has not been discussed, quantified or justified.

3.13 It is our view that this omission makes the plan unsound. Further consideration to the abilities of Tadley to accommodate development is perfectly possible and should have been undertaken to enable commensurate levels of development to be delivered to maintain the role and function and vitality of Tadley. We discuss this further below.

Implications for Tadley

3.14 We are concerned that the Council has not given due consideration to the impact on the vitality and viability of Tadley should there be no planned housing growth through the Local Plan. We have therefore carried out a high level analysis of the possible implications of the proposed policy of restraint on the economic and social sustainability of Tadley and the vitality of its community. This is set out below.

Demographic Change

3.15 Analysis of population change in Tadley over the last ten year inter-censal period shows a slightly decreasing population (-2% or 183 persons), a marked contrast with overall population change across the District (+10%).

3.16 This population change incorporates patterns of ageing with a 19% decrease in the population aged under 16 and a 5% decrease in the working age [16 to 64] population, alongside a 28% increase in people aged 65 and over.

- 3.17 This demographic change is contrary to the change experienced in Basingstoke in general which, whilst experiencing an ageing population has also experienced growth in all other age groups. It would appear that a lack of growth in Tadley has had a negative impact on the community's demographic balance.
- 3.18 Population change estimates produced by Experian Limited⁵ based on current demographic projections ["policy off"] are forecasting an 11% population increase in Tadley by 2022 and a 14.6% increase by 2027. Despite this the emerging Local Plan contains no strategy for dealing with delivering the additional housing necessary to accommodate this population growth in the Tadley area and instead proposes to displace this population growth elsewhere.
- 3.19 Population forecasts by Hampshire County Council⁶ for the three Tadley wards shows a 'policy on' projection and the implications for the demographic structure of Tadley should the proposed policy position be implemented. This shows a static overall population level with little change; however within this there is a marked ageing of the population. The data forecasts a 5% decrease in the working age population (compared to 7% growth in the District) and a 15% increase in the retirement age population.
- 3.20 The data also shows that there is a key difference in the population of 5 to 10 year olds, which is forecast to grow by 14% across the District, but only by 1% in Tadley. Given the significant reduction in the school age population experienced in Tadley between the 2001 and 2011 Census reports this forecast of even very slight growth appears optimistic.
- 3.21 This overall change in the population structure is unhealthy and threatens the future vitality and viability of village life and services, as discussed more below. It cannot be considered to be sound plan making.

⁵ Property Development Pack Report, Experian Ltd for Rural Solutions August 2015

⁶ Hampshire County Environment Department's 2014 based Small Area Population Forecasts

- 3.22 It is clear that, without planned housing delivery within Tadley or the local area, the growth in population arising from natural demographic change will need to be displaced to elsewhere in the District or further afield if the full objectively assessed housing need is to be met.
- 3.23 Whilst the Council suggests growth is planned in other settlements to counter the restriction in Tadley (LP paragraph 3.1) the draft Local Plan does not make it clear where in the District this growth has been apportioned, how that works in terms of the relationship with Tadley and what the implications will be of this enforced displacement on the health of Tadley's services and facilities. We discuss this briefly below.

Education

- 3.24 As referenced in paragraph 2.6 above, Tadley is served by a number of primary schools. All but one of these schools are operating under capacity in terms of pupil numbers versus capacity; there is an overall capacity of 1606 school places in the town, with current attendance of 1458 pupils, or 90% of capacity. Of the six primary schools in the town, four have been found by Ofsted to be 'requiring improvement'.
- 3.25 A suppression of house building combined with an ageing population will result in housing not being available, affordable or suitable for people with primary school aged children. This will further reduce demand for primary school places in the town. In the long term this may undermine the ability of all schools to remain open, in the short term it will further undermine the potential of those struggling schools to make improvements.
- 3.26 A Local Plan which brings forward a strategy which is likely to undermine the future viability of local schools cannot be considered to be consistent with the Framework, specifically with Paragraph 72 which sets out the importance the Government places on providing access to primary schools.

Employment

- 3.27 Tadley's role, both in terms of the attractiveness to employers and the employment it hosts, and also in terms of the contribution of Tadley's population to the District's labour force and labour supply, particularly to Basingstoke, would be eroded by a restraint on housing development.
- 3.28 Imposing constraint on the development of new homes in Tadley and the local area will not only undermine the economic role of Tadley but also will reduce the labour supply available to support economic growth in Basingstoke which the Local Plan seeks to enable.
- 3.29 The survey undertaken by Tadley Town Council in 2007 expressed a desire from the town council and the community for support for further employment opportunities. Such opportunities are unlikely to be hosted by a shrinking population with a decreasing working age population, as it would not be an attractive location for employers to relocate. A population with such a demographic profile is also unlikely to generate entrepreneurs and new business start-ups which would further enhance economic activity and employment opportunities.

Retail & Services

- 3.30 Tadley is categorised as a District Centre in the retail hierarchy in the Local Plan, recognising its existing range of facilities and services. The supporting text to the policy states that "The District centres at Brighton Hill, Chineham, Overton, Tadley and Whitchurch have a significant role in maintaining and enhancing prosperity, serving the day-to-day needs of their local populations but also providing access to services for neighbouring areas across and beyond the Borough".
- 3.31 The Local Plan fails to address how Tadley's role as District retail centre can be maintained in the face of a static or falling population. The town's convenience offer will become increasingly vulnerable as the finite value of local household expenditure available to local retailers reduces as people age.
- 3.32 The health of the town centre and its ability to continue to serve this function for not just its own population but also that of its rural hinterland, will be negatively affected by a restrictive growth policy. The demographic profile of a community has

a direct impact and influence on its vitality. Working age and economically active people make a direct positive contribution to local economies through their consumption, economic engagement and investment. Hampshire County Council's population projections show an anticipated decrease in working age population as a consequence of the proposed restrictive policies for Tadley.

- 3.33 Younger families and working age people are hugely important to vitality. Working age family households have higher available household expenditure than retired households. New residents enhance and maintain demand for key services such as pre-school nurseries, shops, pubs and primary schools.
- 3.34 The next generation of young families and younger working age people will find it difficult to get on and move up the housing ladder in Tadley if the housing stock is held static with the inevitable impact on house prices. Such restrictions to the housing stock will drive out younger families [note that people classified as aspiring home makers'⁷ which currently make up 18% of the local community] from the population and have an impact on the economic health of the population.

Community Services

- 3.35 Tadley currently hosts a healthy range of community services and facilities including community run sports clubs and the Community Centre which is run and owned by a charitable trust (Tadley and District Community Association) and is used for social and leisure activities including a mother and toddler group, badminton, yoga and a pre-school club.
- 3.36 An influx of new people and families into a community enhances social capacity, provides an important resource to support community activity and events and to support the management of community assets. This capacity will be threatened by a falling and ageing population.
- 3.37 The 'vision' within the Local Plan identified as a key challenge ensuring the provision of sufficient "new homes to meet local needs, and bring improved and new local

⁷ Mosaic Groups

facilities.” Whether these new facilities would be delivered by the private sector as a result of market forces and increased market demand or aided through developer contributions linked to new housing development, neither of these scenarios are going to happen if housing development is limited in the town.

- 3.38 Similarly, the provision of social housing will be affected if sufficient levels of market housing are not planned for and delivered. The town already suffers from a low incidence of social rented housing vs the District (11.7% compared to 17.4%) and a constraint on new housing will impact as there is no opportunity to meet need for Tadley.
- 3.39 This high level assessment has identified a range of negative impacts for the town and community at Tadley which are likely to arise from the approach taken in the draft Local Plan. The potential for such negative impacts has been recorded in the Council's Sustainability Assessment, yet no work appears to have been done to assess this impact locally, or any method of mitigating this impact included in the draft Local Plan.

4. Analysis of Basingstoke and Deane Council's Proposed Policy Approach to the Rural Area

- 4.1 This section of the report considers the Council's emerging approach to development in the Borough's Rural Areas.
- 4.2 The draft Local Plan records that the District is predominantly rural, with over 75% of land within the Borough defined as agricultural or woodland and that the rural dimension is very important in shaping the character of the Borough [paragraph 1.21].
- 4.3 The plan identifies an ageing population and declining household size, acknowledged housing need and affordability [of housing] as an issue. It acknowledges the affordability is a particular problem in the rural areas where house prices tend to be higher [paragraph 1.22].
- 4.4 Around 60% of the 167,800 population lives in Basingstoke and Chineham with the remainder [40% or 67,120 people] living in the Borough's large rural areas, including the towns and larger villages of Bramley, Kingsclere, Oakley, Old Basing, Overton, Tadley and Whitchurch, together with smaller villages and hamlets.
- 4.5 The vision set out in the Plan includes an objective to create inviting places and communities where people want to live and it is easy to meet every day needs.
- 4.6 The Plan identifies issues that need to be addressed including a growing population, an ageing population, falling household sizes, housing affordability, economic prosperity and the need to manage growth in the AWE Emergency Planning Zone.
- 4.7 The strategic objectives include the wish to promote a thriving rural economy with a network of vibrant towns and villages which provide homes, services, jobs and infrastructure to respond to the needs and aspirations of local communities [Objective E].

- 4.8 The spatial development strategy put forward in the draft Local Plan is set out in section 4. The Plan claims to respond to the level of need across the Borough as set out in the 2013 SHMA, which it says has informed the level of growth allocated to smaller settlements and forms part of the rationale for the approach in conjunction with the population of settlements, historic growth, availability of services and facilities, employment opportunities and accessibility.
- 4.9 The 2013 SHMA reports that there are approximately 71,760 dwellings in the Borough of which 18% are in the private rental sector and 19% are affordable. The District is a net attractor of people, with a migration gain of 1731 people between 2006 and 2010 [p12.14 – 12.16].
- 4.10 The SHMA also found that a total of 37% of new households would require some form of affordable housing and that this need is expected to increase with changes in affordability [p12.37].
- 4.11 The SHMA reported the Borough's Rural Housing Study which found that there had been 5405 household moves into the rural area in the previous three years [from the study date 2009]. Of these moves, around half came from within the Borough and half from beyond.
- 4.12 The study found that there was demand for housing in the rural area from people moving house within the District [51% of all moves to the rural area were from within the District; P2.59].
- 4.13 The Rural Housing Study also found that 83% of people planning to move wanted to stay within their existing location or Parish – they wanted to find housing more suitable for their needs where they already lived.
- 4.14 The Rural Housing Study reported requirements for 2,166 houses in the rural area [SHMA Table 10.7] based on its survey responses.
- 4.15 In the Overall Summary and Policy Recommendations the SHMA does not offer any advice or make any recommendations about the number of houses that should be allocated to the rural area.

- 4.16 Against this background the draft plan proposes [Policy SS5] allocations that amount to 750 houses in the larger settlements of Bramley, Kingsclere, Oakley, Overton and Whitchurch, and a further 150 houses in the wider rural area. This total allocation amounts to just 6% of the total objectively assessed housing need for the Borough.
- 4.17 The plan does make provision for additional housing development in rural areas, beyond this 900 house target, but only via small developments of less than 10 units in the larger listed settlements and of less than 5 units in the other settlements.
- 4.18 It is not at all clear from the Plan where this figure has come from. It is unclear whether it is founded on an evidenced based assessment of opportunity or capacity, not just in terms of available land but also in respect of services, facilities, or of need.
- 4.19 In this regard we note that the 2009 Rural Housing Study identified a need for 2166 houses in the rural area [as reported in Table 10.7 of the Borough's 2013 Strategic Housing Market Assessment]. In any event we believe that this housing target is far too low for the rural area.
- 4.20 Our concerns in this regard are compounded by the fact that the Council has had an opportunity to review the numbers in the rural area, arising from the increase in the OAN, but has chosen not to provide even a proportionate increase in the allocation to the rural area.
- 4.21 Despite the overall proposed increase in housing delivery of 13%, no additional provision is to be allocated to the rural areas. Justification for not increasing the housing numbers in the rural areas is set out in the Councils' Housing Topic paper which states that "there is currently no evidence to support the delivery of a higher number from this source nor an agreed settlement hierarchy set out within the Submission Local Plan that could be used as the basis for any such increase". [refn]
- 4.22 This is despite the Council's own Sustainability Appraisal acknowledging weaknesses to social and economic well-being of approaches which focus too much delivery in urban areas. The majority of the housing resulting from the proposed increased housing target is focussed on a single allocation to the edge of Basingstoke.

- 4.23 This approach is negative and does not plan positively for rural areas. It is in conflict with the policy context set out in national policy which supports sustainable development in rural areas.
- 4.24 The core planning principles set out in Paragraph 17 of the NPPF include the requirement for local plans to proactively drive and support sustainable economic development, to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. In this context, the paragraph goes on to talk of promoting the vitality of urban areas and supporting thriving rural communities. Paragraph 157 requires local planning authorities to plan positively for the development and infrastructure needed in the area to meet the objectives, priorities and policies set out in the Framework.
- 4.25 All areas should benefit from positive planning. There is nothing in the Framework which says that rural areas should be excluded or that development should be constrained in rural areas per se. Paragraphs 28 and 55 makes it clear that the Framework envisages that economic and housing development can be sustainable in all kinds of places.
- 4.26 This positive context has been reinforced by Chancellor George Osborne's statements when launching the Rural Productivity plan that the Government will deliver housing for future generations, increasing the availability of housing in rural areas to ensure our villages thrive.
- 4.27 The Government published its Rural Productivity Plan on 20th August 2015. On the day of its publication Chancellor George Osborne and Secretary of State for the Environment and Rural Affairs Elizabeth Truss wrote a joint piece in The Telegraph entitled "With our plan the countryside can become Britain's engine of growth."
- 4.28 Within this piece the Chancellor of the Exchequer and the Secretary of State for the Environment identified the demand for housing in rural areas arising from the net internal migration of 60,000 people each year into predominantly rural areas. They said "This Government is determined to support the millions that already choose a rural life and those that are joining them."

- 4.29 In the article the two cabinet ministers made it clear that there is no locational bar to investment or growth when they said, “our determination to build one nation means investing in all parts of the country, building a vibrant economy that promotes growth across the land, in every town and city and every rural area too.”
- 4.30 They specifically addressed the importance of new housing in rural areas when they said, “And if we are going to attract and maintain a dynamic workforce, we need to make it easier for people to stay in their rural communities and for newcomers to settle there too. We’ll always want to protect the green belt and beautiful natural environments but the lack of housing in rural areas is a scandal.”
- 4.31 The final paragraph of the piece sums up the Government’s approach were it says “Getting this right means people have greater choices about where they live and the jobs they do, businesses no longer need to be tied to our towns and cities and rural communities can flourish, to the benefit of us all.”
- 4.32 This clear exposition of the new Government’s approach to rural development backs up the requirements of the Framework. It is not intended to restrict development in, and associated with, rural villages to that which meets the needs only of the present population.
- 4.33 There is no way that the Council’s approach to housing in the rural area can be considered to be positive planning for the District as whole.
- 4.34 Within the supporting text for Policy SS5 the Council also includes support for ‘windfall’ sites for small developments of up to 10 dwellings inside settlement boundaries and 5 dwellings outside (adjacent) to settlement boundaries in addition to the numbers in named settlements (paragraph 4.52). It is not clear whether the sites outside to the settlement boundaries referred to in this text also have to comply with the provisions of Policy SS6: New Housing in the Countryside.
- 4.35 Policy SS6 only allows for exception developments such as development of previously developed land, affordable housing rural exception sites, replacement dwellings, rural workers dwellings or residential proposals advanced with the support of the Parish/Town Council. In relation to the latter, the supporting text for

this policy (para. 4.56) links vitality to meeting local needs; this is not consistent with The Framework.

- 4.36 It is important to note that in this context Paragraph 54 does not mean that housing should only be provided in rural areas where it responds to locally identified needs. The phrase “local needs” in Paragraph 54 does not mean needs specific to individual settlements or in respect of individual housing schemes, but rather those related to that part of the local authority territory where “local circumstances” have been identified.
- 4.37 Similarly Paragraph 55 NPPF does not give a veto or control of vitality to Parish Councils yet Policy SS6 seeks to by only allowing development which has their support to come forward, regardless of any proven needs or benefits of development.
- 4.38 The Framework provides a positive context in which to enable and plan for rural development. The Borough has a range of settlements capable of hosting sustainable development beyond those identified in Policy SS5. An example of these settlements in Sherfield on Loddon.
- 4.39 Sherfield on Loddon is a large village with a parish population recorded at the 2011 Census of 3,107.
- 4.40 The village benefits from a range of local services, including shops, pubs and community facilities, and is well connected by public transport to the larger centres of Tadley, Bramley [where there is access to the rail network] and Basingstoke. The village benefits from super-fast broadband. Employment hosting sites are easily accessible in the local area [the village is within easy travelling distance of Basingstoke and Chineham].
- 4.41 Whilst the village does not have a school it forms part of the catchment of the primary school in Bramley, which is situated in close proximity [and on the bus route]. Access to primary healthcare is also available in Bramley.

- 4.42 Rural settlements like Sherfield on Loddon have demonstrable vitality and, as such, are well placed to host sustainable rural development [Paragraph 55].
- 4.43 The approach set out to rural development in Basingstoke and Deane ignores such potential. It seeks to drive development to Basingstoke, preventing development in the rural area that would in all other respects be sustainable. This approach is demonstrably inconsistent with the Framework and the Government's recent statements relating to the need to enable development in rural areas as well as urban areas.
- 4.44 As proposed, the draft policies seek to prevent the provision of new housing beyond the development boundaries of all settlements [save on allocated sites] regardless of the potential of such sites to host sustainable development and the economic and social benefits that such development might deliver.
- 4.45 This blanket restraint is not consistent with the Framework and will directly impact on the vitality of many of the District's rural and smaller settlements over the period of the plan, as it constrains population growth and imposes negative demographic change.
- 4.46 This negative demographic change will impact on vitality as the demand for certain types of services falls, the value of household expenditure available to support local services and business falls over time and the social capacity of villages and smaller settlements erodes over time as the population ages and is not refreshed.
- 4.47 Imposing low levels of growth will also impact on the affordability and availability of homes in the rural areas. Affordability will worsen as house prices increase, a lack of new stock will add to this pressure. Availability will suffer as under occupancy increases and the lack of new development means that, over time, the rural areas will be able to house fewer and fewer people.
- 4.48 Further analysis of the position at Sherfield on Loddon bears out this concern.

- 4.49 During the 10 year inter-censal period the population recorded in the Parish has increased significantly due to the Sherfield Park development. However, the population in the village of Sherfield on Loddon has remained fairly static.
- 4.50 This has meant that the demographic balance of the village's population has worsened with the result that, by the 2011 Census, the percentage of the population of school and pre-school age is lower than the Borough average [15% vs 18%] and the proportion of people aged 55 and over higher than the Borough average [29% vs 27%].
- 4.51 A constraint in new housing development over that time has meant that affordability has reduced in the village. Consequently the opportunity for younger working people and families to live within or join the community has reduced.
- 4.52 This lack of growth and worsening demographic balance has contributed to the low demand for places at the Primary School in Bramley [which is undersubscribed] and will have a negative impact on the future vitality of the community.
- 4.53 This is exactly the sort of negative outcome from planning policy that Matthew Taylor reported on in his 2007 Living Working Countryside study. It is an issue that will be replicated across the Borough if unnecessarily restrictive policies on rural housing development are put in place.
- 4.54 The evidence shows that, as communities age, their social capacity erodes over time. This has a negative impact on social well-being and on the ability of a community to maintain activities, events, clubs and societies.
- 4.55 An erosion of social capacity is contributed to and exacerbated by a reduction in the proportion of the population of school age children and a loss in younger working families. This not only undermines the vibrancy of the village but also reduces the value of household expenditure available to support key local services such as the village shops and pubs.
- 4.56 A loss of working age people also reduces the economic capacity and contribution of the community, and so that of the Borough. This is particularly important in a

Borough like Basingstoke and Deane which is well placed to benefit from net inward migration of economically active people.

- 4.57 The outcome of a policy of restraint as put forward in the draft Local Plan will be settlements that are less sustainable, host lower levels of vitality and become less, rather than more, mixed and inclusive over time. Precisely the opposite of the outcome that the Framework seeks of sustainable, mixed and inclusive communities [Paragraph 50] and enhanced vitality [Paragraphs 17 and 55].
- 4.58 The rural area of Basingstoke and Deane District currently hosts in the region of 40% of the population. It should receive a housing allocation commensurate with this proportion if the vitality of the rural area, and the District as a whole, is to be maintained.

5. Summary and Conclusions

- 5.1 National planning policy requires that local planning authorities take account of demographic balance and community vitality when plan making. Paragraph 50 requires local planning authorities to plan for a mix of housing based on current and future demographic trends. Paragraph 55 states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.
- 5.2 Paragraph 152 states that local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development and net gains across all three. Paragraph 154 states that Local Plans should address the spatial implications of economic, social and environmental change and Paragraph 158 requires that local planning authorities ensure that their Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Paragraph 159 states that local planning authorities should have a clear understanding of the housing needs of their area, including influences such as demographic change, and should identify the scale and mix of housing which address the needs of all types of housing and the needs of different groups in the community.
- 5.3 This analysis demonstrates that the approach taken by the Council in respect of the borough's rural areas does not meet these requirements. Consequently it is unlikely to be effective. There is little or no evidence that it is justified, nor can it be said to be consistent with national planning policy.
- 5.4 It is our view that the Local Plan should provide for a far greater provision of housing in the rural area, a level far more consistent with the current distribution of households and population [60% Basingstoke and Chineham, 40% the remainder].
- 5.5 This housing requirement should be allocated to all types of rural settlement, with the actual numbers allocated to individual settlements determined by an evidence

based assessment which takes account of opportunity, constraints [environmental and practical] and the benefits to vitality that new development can provide.

- 5.6 It is perfectly possible to identify sites suitable to host development and make allocations to them across the rural area. It is also possible to introduce a housing target to individual settlements and to communities interested or engaged in Neighborhood Planning. It is after all a basic tenant of Neighbourhood Planning that it delivers the strategic approach and scale of development set out in the statutory development plan.

Appendix I: Table of local services

Service or Facility	Provision	Location
Retail	Loftplan Reviews	Ash Lane
Retail	Berkshire Mini Mix Ltd	Health End Road
Retail	R&L Preservation	1 Mulfords Hill
Retail	Sainsbury's supermarket	30A Mulfords Hill
Retail	Co-operative Food	Giles Walk
Services	Mendem Motors independent repairers and garage	Unit 4 Whitehouse Farm Silchester Road
Services	Shell Service Station	Burghfield Road
Community Facility	Lloyds TSB Bank	Aldermaston Road
Community Facility	Barclays Bank	Aldermaston Road
Community Facility	Post Office	18A Mulfords Hill
Community Facility	The Broomsquire Hotel and Restaurant	Silchester Road
Community Facility	Fox & Hounds Pub	Mulfords Hill
Community Facility	New Inn Pub	Rowan Road
Community Facility	The Queens College Arms Pub and Restaurant	Aldermaston Road
Community Facility	The Vine country pub at Hannington	Hannington, Tadley
Community Facility	Tadley Library	Mulfords Hill
Worship	Tadley Community Church	Tadley Community

		Centre
Worship	St Peters and St Lukes Church of England	Church Road
Worship	St Pauls Church	The Green
Worship	Tadley United Reformed Church	Malthouse Lane
Worship	Tadley Methodist Church	Main Road
Education	Bramley Church of England School	Bramley Lane
Education	Grantham Farm Montessori School	Inhurst Lane
Education	Bursham Copse Primary School	New Church Road
Education	Tadley Community Primary School	The Green, Tadley
Education	Bishopwood Infant and Junior School	Barlows Road
Health Care	Tadley Healthcase Ltd Holmwood Pharmacy	Franklin Avenue
Health Care	Dentists	New Church Road and Franklin Avenue
Health Care	Tadley Medical Partnership-GP services	Franklin Avenue and New Road
Sport and Recreation	Tadley Calleva Youth FC	Barlows Park
Sport and Recreation	Tadley Swimming Pool	New Road
Sport and Recreation	Bishopswood Golf Course	Bishopswood Lane

APPENDIX E

A Report into the Delivery of Sustainable Urban Extensions

Hourigan Connolly

**A REPORT INTO
THE DELIVERY OF URBAN EXTENSIONS**

**ON BEHALF OF
GLADMAN DEVELOPMENTS LIMITED**

FEBRUARY 2014



Hourigan Connolly

Chartered Town Planners

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1. INTRODUCTION

OVERVIEW

- 1.1 Planning plays a central role in the delivery of housing in the UK influencing how and when new residential development is delivered.
- 1.2 Local Planning Authorities (LPAs) throughout the UK are increasingly reliant on the release of extensions to existing built up areas in order to meet identified housing needs, such schemes are commonly referred to in England and Wales as urban extensions and in Scotland they can be referred to as major residential sites, core development areas, community growth areas or major growth areas. For the purpose of this Study sites will be referred to as urban extensions.
- 1.3 Typically urban extensions involve the use of greenfield land although some contain a mixture of greenfield land and previously developed land (PDL).
- 1.4 This Study considers the factors associated with bringing forward major urban extensions of 500+ dwellings before moving on to look at specific case studies from each of the English regions, Scotland and Wales.
- 1.5 The results of the site specific research is then drawn together to inform an overall assessment of the timescales associated with bring forward urban extensions and rates of delivery once development gets underway.

GLADMAN DEVELOPMENTS LIMITED

- 1.6 This Study has been commissioned by Gladman Developments Limited (GDL).
- 1.7 A core element of GDL's business is the promotion of urban extensions through the planning system. The Company has secured planning permission for over 3,500 dwellings in the past 5 years and is currently pursuing 150 sites across the UK and is clearly a major stakeholder in the delivery of housing in the UK. Accordingly this study will be used to inform the promotion of planning applications and Development Plan submissions across the UK.
- 1.8 The Study will also be made available to LPAs, government departments and agencies and industry bodies as an evidence based tool which can be drawn upon to inform Development Plans across the UK. The Study will also be a useful tool in benchmarking assumptions for the delivery of housing on sites which already have planning permission and is likely to be useful in cases where there is a dispute over the extent to which such sites might deliver housing over a given period.

HOURIGAN CONNOLLY

- 1.9 Hourigan Connolly is a firm of Chartered Town Planners operating across the UK. We deal with a range of projects but one of our specialisms is the promotion of urban extensions through the Development Plan and Development Management process.
- 1.10 We act for a range of house builders and speculators and our senior staff have experience of working in-house for national house builders.

PURPOSE

- 1.11 The purpose of this Study is not to evaluate the merits or otherwise of urban extensions; the authors and sponsors recognise the inherent benefits that such schemes can deliver for local communities.
- 1.12 This Study is an exercise in considering deliverability, the factors which affect deliverability, the timescales involved from a site being identified for development to planning permission being granted and thereafter the rates at which housing can realistically be delivered on major urban extension sites of 500+ dwellings.
- 1.13 The matters outlined above are highly relevant to the Development Plan and Development Management process across the UK because housing is a key economic driver of the national economy. Establishing an understanding of timescales involved with the delivery of urban extensions and rates of delivery will assist decision makers in assessing the contribution such sites can realistically make to meeting identified housing needs both in the context of Development Plan making and the Development Management process.

2. POLICY CONTEXT

INTRODUCTION

- 2.1 This study covers the geographic areas of England, Scotland and Wales where different planning policy regimes are in place. However a common theme running throughout the national planning system is the delivery of economic growth a key element of which is home building.
- 2.2 This Chapter considers the national planning policy context in England, Scotland and Wales.

ENGLAND

- 2.3 National planning policy in relation to housing is to be found in the National Planning Policy Framework (hereafter referred to as the Framework).
- 2.4 Paragraph 1 of the Framework states that:
- “The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied.”*
- 2.5 Publication of the Framework saw the cancellation of 44 planning policy documents, including all extant PPG, PPS1, and a number of Circulars and Letters to Chief Planning Officers.
- 2.6 One of the aims of the Framework is to boost significantly the supply of housing. Paragraph 47 of the Framework sets out a number of requirements to be undertaken by local authorities to help achieve this aim; bullet points 1 and 2 are worthy of consideration:

“47. To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic*

prospect of achieving the planned supply and to ensure choice and competition in the market for land".

2.7 Paragraph 49 goes on:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".

2.8 Footnote 11 (Page 12) to the Framework sets out the government's definition of a deliverable site:

"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans".

2.9 Bullet point two within Paragraph 159 of the Framework goes on to require Local Planning Authorities to:

"Prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period".

2.10 Current Government advice on the preparation of Strategic Housing Land Availability Assessments is to be found in a document entitled: Practice Guidance for Strategic Housing Land Availability Assessments (hereafter referred to as the Practice Guidance) published by the Department of Communities and Local Government (DCLG) in July 2007 we shall refer to this publication in this Study but in terms of weight to be attributed to the document we consider that this now has to be read in the context of the Framework with the Framework taking precedence where any conflict arises.

2.11 Stage 7 of the Practice Guidance is of relevance in assessing when and whether sites are likely to be developed and sets out matters to be considered. In the context of Paragraph 159 bullet point 2 of the Framework such assessments need to be realistic and in practice have to be based upon credible evidence.

WALES

- 2.12 In Wales Planning Policy Wales (PPW) (Edition 5 November 2012) provides an overarching planning policy framework. In relation to housing land supply matters and of relevance to this study Paragraph 9.2.3 of PPW is worthy of note.

“Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live. There must be sufficient sites suitable for the full range of housing types. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study. The Welsh Government will monitor development plans and their implementation to ensure that sufficient housing land is brought forward for development in each local planning authority and that economic development and related job opportunities are not unreasonably constrained”.

- 2.13 PPW is supplemented by 21 topic based Technical Advice Notes (TANs). TAN 1 provides guidance on the preparation of Joint Housing Land Availability Studies (JHLAS). The purpose of these studies is to:

- Monitor the provision of market and affordable housing;
- Provide an agreed statement of residential land availability for development planning and control purposes; and
- Set out the need for action in situations where an insufficient supply is identified.

- 2.14 LPAs in Wales must ensure that sufficient land is genuinely available to provide a 5 year supply of land for housing. This land supply must inform the strategy contained in the Development Plan.

- 2.15 While TAN 1 is still the main advice and guidance for JHLAS in September 2012 the Welsh Government published a Guidance Note which sets out a revised JHLAS process for LPAs to follow for 2012 onwards. The main changes from the 2011 process relate to data collection and report preparation. The preparation of the site schedules previously undertaken by Welsh Government officials is now the responsibility of each LPA.

- 2.16 The system for assessing the deliverability of housing land in Wales through JHLAS is subject to more scrutiny than SHLAAs in England. JHLAS produced annually are subject to scrutiny by the Planning Inspectorate who have are able to determine the deliverable supply in cases of dispute. In contrast English SHLAAs are subject to consultation and scrutiny by Members of the Council; the exception being where a SHLAA is tested as part of a Development Plan Examination in Public or where it's conclusions are disputed as part of an appeal to the Secretary of State following the refusal of planning permission at the local level.

SCOTLAND

- 2.17 In its February 2010 publication Scottish Planning Policy (SPP) the Scottish Government set out its policy on nationally important land use planning matters. Paragraph 66 of SPP is relevant to this Study:

"The Scottish Government is committed to increasing the supply of new homes and the planning system should contribute to raising the rate of new house building by identifying a generous supply of land for the provision of a range of housing in the right places. The planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures".

- 2.18 Paragraph 70 and 71 of SPP are also relevant:

"The delivery of housing through the development plan to support the creation of sustainable mixed communities depends on a generous supply of appropriate and effective sites being made available to meet need and demand, and on the timely release of allocated sites. The scale, nature and distribution of the housing requirement for an area identified in the local housing strategy and development plan should be based on the outcome of the housing need and demand assessment. Wider strategic economic, social and environmental policy objectives should also be taken into account when determining the scale and distribution of the housing requirement and the housing supply target for an area. Planning authorities may, as part of the development plan settlement strategy, direct development to particular locations to achieve desired policy outcomes. In such circumstances the planned level or direction of growth may not reflect past trends.

Allocating a generous supply of land for housing in the development plan will give the flexibility necessary for the continued delivery of new housing even if unpredictable changes to the effective land supply occur during the life of the plan. Consideration of the scale and location of the housing

land requirement in development plans well ahead of land being required for development should assist in aligning the investment decisions of developers, infrastructure providers and others”.

2.19 Paragraph 75 and 75¹ of SPP are also worthy of note in the context of this Study:

“A supply of effective land for at least 5 years should be maintained at all times to ensure a continuing generous supply of land for house building. Planning authorities should manage land supply through the annual housing land audit, prepared in conjunction with housing and infrastructure providers. The housing land audit should be used to monitor the availability of effective sites, the progress of sites through the planning process, and housing completions. Development plans should identify triggers for the release of future phases of effective sites, such as where the housing land audit or development plan action programme indicates that a 5 year effective land supply is not being maintained. More information on housing land audits and effective housing land supply is provided in the Planning Advice Note on Affordable Housing and Housing Land Audits.

The delivery of housing does not rely solely on the allocation of appropriate land in the development plan. A variety of other factors are important including the planning application and its determination, negotiation of legal agreements, granting of a building warrant and roads construction consent, water and drainage connection, the capacity of the construction industry and the functioning of the housing market. Most of these factors are outwith the direct control of the planning authority. Planning authorities, developers, service providers and other partners in housing provision should work together to both ensure a continuing supply of effective land and to deliver ¹housing. The development plan action programme will be a key tool in the delivery of housing through the planning system”.

2.20 A review of SPP was announced in the Scottish Parliament on 18 September 2012 by Derek Mackay MSP, Minister for Local Government and Planning. The Consultation Draft SPP was subsequently published on 30 April 2013 for a 12-week period of public consultation, ending on 23 July 2013. We understand that it is the Scottish Government's intention to publish the final SPP in June 2014.

2.21 In respect of the delivery of new homes the Consultation Draft version of SPP echo's that of the extant version; at Paragraph 80 the importance of delivery is re-emphasised:

1. See also the Chief Planner's letter of 29 October 2010 to all LPA Heads of Planning on providing an effective supply of housing land and Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits (31 August 2010).

"The planning system should:

- identify a generous supply of land for each housing market within the plan area to support the achievement of housing supply targets across all tenures, maintaining at least a 5-year supply of effective housing land at all times; and*
- enable provision of a range of attractive well-designed, energy efficient, good quality housing in accessible locations.*

2.22 Paragraph 91 is also worthy of specific mention.

"Planning authorities should actively manage the housing land supply. They should work with housing and infrastructure providers to prepare an annual housing land audit as a tool to monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions, to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least 5 years. A site is only considered effective where it can be demonstrated that within 5 years it will be free of constraints³⁶ relating to ownership, physical factors, contamination, deficit funding, marketability, infrastructure provision and land use policy, and can be developed for housing. In strategic development plan areas, housing land supply will be calculated across the housing market area and by local development plan area".

2.23 SPP sits alongside the National Planning Framework (NPF) which provides a statutory framework for Scotland's long-term spatial development. The NPF sets out the Scottish Government's spatial development priorities for the next 20 to 30 years, the current version being NPF 2 (June 2009). Paragraphs 76 and 77 are worthy of specific mention in the context of this Study:

"It is through the planning system that housing need and demand are identified and addressed at the regional and local level. In that context, implementation of the recently reformed and modernised housing and planning delivery framework is fundamental, both to supporting a recovery in house-building and achieving a long-term increase in housing supply. The new framework brings together regional and local housing and planning systems to ensure that the right numbers of houses are built in the right places.

This new approach requires a whole market perspective and co-ordinated delivery through the new development plan process, local housing strategies and strategic housing investment plans, supported by an assessment of housing need and demand across housing market

areas. It is based on collaboration between local authorities at a regional level - particularly across areas of wider strategic significance for housing growth such as the Edinburgh housing market area. This will allow constituent local authorities to build a stronger, more strategic evidence base and take a broader view of the options for increasing the supply of houses of the right type and tenure where they are needed most".

- 2.24 The Scottish Government started consultation on NPF 3 Main Issues Report and Draft Framework on 30 April 2013. The Main Issues Report sets out the Government's preferred option as well as reasonable alternatives. Paragraph 41 is worthy of mention:

"There remains a significant requirement for new housing development. Strategic and Local Development Plans will need to continue to focus on meeting the requirement for a generous supply of effective housing land. But this will be of particular importance in those areas where economic and household growth is expected to be high, including around Edinburgh, Aberdeen and Perth. In South East Scotland in particular, we wish to see greater and more concerted effort to deliver a generous supply of housing land on sites which can be delivered in sustainable locations where people want to live. The future spatial strategy for delivering this land will need to acknowledge or address the infrastructure constraints that exist in this region".

SUMMARY

- 2.25 What is clear from the review of national planning policy is that the timely delivery of homes is key to economic recovery and growth and hence having a robust understanding as to when sites are likely to deliver housing must be seen as an essential plank in effectively planning for growth.

3. METHODOLOGY

INTRODUCTION

- 3.1 In this Chapter we set out the methodology adopted in respect of obtaining baseline information and assessing that information.

STUDY AREA

- 3.2 The Study area is defined as England, Scotland and Wales reflecting GDL's strategic business priorities.
- 3.3 In respect of England each of the constituent regions forms part of the Study area.
- 3.4 In respect of the extent of the Study our instructions were to attempt to obtain data for 100 sites in total which translates into 10 sites from each of the English regions, 10 sites from Scotland and 10 sites from Wales.
- 3.5 In determining which LPAs to focus upon within the Study area target locations were provided by GDL having regard to the company's strategic business priorities.

IDENTIFYING SUITABLE STUDY SITES

- 3.6 This Study considers how sites have performed in the past in order to provide an insight as to how similar sites might perform in the future. Clearly each site is different with specific development issues to address before development can commence.
- 3.7 Sites were identified having regard to the factors outlined below and with regard to GDL's strategic business interests. A list of the sites selected appears at **Appendix 1**.

SITES SCREENED OUT OF THE STUDY

- 3.8 In order to obtain a consistent approach to the types of site considered across the Study area certain types of site were screened out of the Study.
- 3.9 Table 1 below outlines those sites that were screened out of the Study process.

Table 1 – Sites Screened Out Of The Study

Site Type	Justification For Screening Out
Sites comprising only PDL.	PDL often require significant remediation and geotechnical works which are likely to result in significant lead-in times before houses are completed.
New Settlements.	Require significant infrastructure works before development can commence.
Sites having received government assistance.	Contractual requirements with funding agencies may have required completion of phases of development well in advance of any sales interest. Such sites may give distorted completion rates.

SIZE THRESHOLD

- 3.10 The size of a site and its location can also affect the delivery of housing. As a general rule of thumb greenfield sites below 500 dwellings may have the ability to deliver housing promptly where there are no significant constraints to development.
- 3.11 This Study does not consider sites below 500 dwellings but focuses on sites of 500+ dwellings in recognition that a number of LPAs throughout the UK are reliant upon significant urban extensions to meet future housing needs.

TIME PERIODS FOR THE STUDY

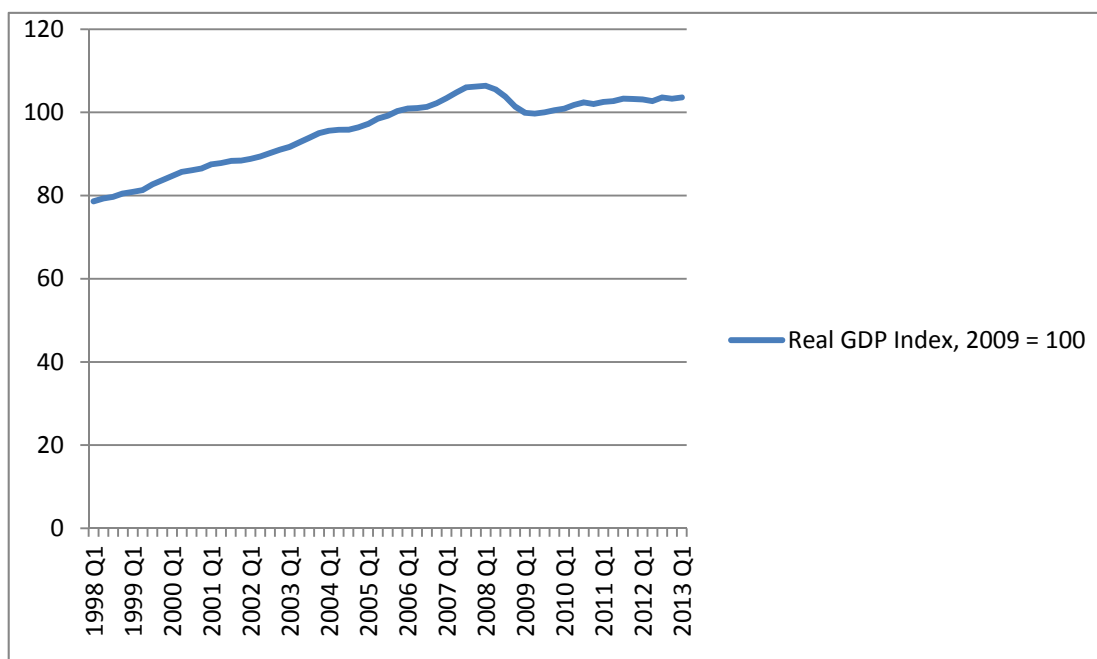
3.12 Given current market conditions consideration has also been given to the appropriate time periods upon which to base this Study.

3.13 HM Treasury defines a recession as

“The commonly accepted definition of a recession in the UK is two or more consecutive quarters (a period of three months) of contraction in national GDP”.

3.14 GDP in the UK fell by 0.6% in the third quarter (July - September) of 2008, and then by 1.5% in the fourth quarter (October - December). While the UK economy was, by defined terms, only in recession from the 1 January 2009, the economy was obviously in difficulty from the middle of 2008 onwards. Accordingly, this Study considers completion rates to the end of Quarter 1 of 2008 (31 March 2008) only in order to avoid any distortion of completion rates having regard to difficult market conditions thereafter. The Study therefore takes on an optimistic view of build rates commensurate with buoyant market conditions up to 2008 as illustrated in Figure 1.

Figure 1: Real GDP Index

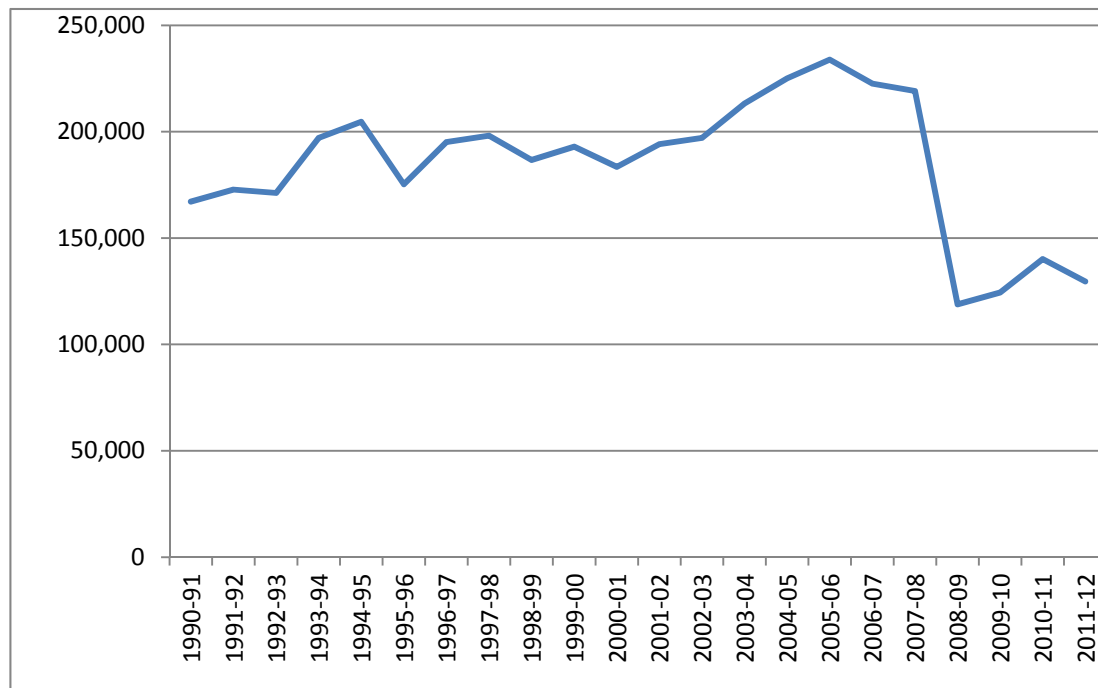


Source: ONS

3.15 The 31 March 2008 end date also ties in with LPAs reporting protocol for housing completions with common practice being to monitor completions between 1 April and 31 March.

3.16 The relationship between economic conditions up to 2008 and all dwellings completed in the UK can be seen in Figure 2.

Figure 2: All UK Dwelling Completions



Source: DCLG Live Table 208 as at 21 February 2013

DATA COLLECTION

3.17 The Study has been informed by discussions and data kindly provided by the following bodies:

- Councils.
- Developers.
- Agents.
- Planning & Development Consultants.
- HCA.

3.18 In order to ensure a consistent approach to data capture a standard proforma was devised having regard to the delivery factors outlined in Chapter 4; and appears at **Appendix 2**.

3.19 Copies of completed proformas for each site within the Study area appear at **Appendix 3 – 11**.

4. FACTORS AFFECTING DELIVERY

INTRODUCTION

- 4.1 On urban extension sites there are many inter-linked factors affecting the delivery of new homes, which can lead to a significant delay from the identification of a site to the delivery of homes, even once planning permission has been granted. One such example is that often there is intense competition for sales, even potentially between different outlets of the same company. Our experience is that significant competition within a relatively small area has an impact on completion rates.
- 4.2 Given the fundamental nature of the contribution urban extensions are proposed to make to the supply of housing across the UK, this study now considers the factors affecting the deliverability of sites of such sites.
- 4.3 In particular, this Chapter considers the timescales involved with bringing forward urban extensions based on likely site specific issues and experience of dealing with such developments elsewhere.

BACKGROUND

- 4.4 In preparing this study, we have sourced various academic publications, industry research documents and other technical reports which have explored the actual delivery rates attributed to urban extensions and this has complemented our empirical research

DCLG & UNIVERSITY OF GLASGOW

- 4.5 A useful publication, jointly written by DCLG and the University of Glasgow in 2008², included a comprehensive survey of national house builders who identified a series of factors which affect housing delivery rates. In general terms, the biggest factors identified were the resolution of problematic site conditions, the availability of infrastructure and the completion of site acquisition.
- 4.6 Notably, this publication also concluded that if more land is released for housing development, this would have a positive long-term effect of increasing housing delivery rates. It also notes that the capacity of a local housing market depends not only on the number of houses available for sale, but also the variety of housing available. If a greater number of developers are offering a wider range of products, a greater range of the potential market will be served, and a greater number of these products will be sold. In contrast however, the involvement of too many developers on a particular site could generate excessive competition leading to the erosion of

² 'Factors Affecting Housing Build-Out Rates' (February 2008)

internal specifications in order to attract buyers whilst retaining margins. This would suggest there is a balance to be struck to ensure that the site retains market interest.

- 4.7 The DCLG University of Glasgow study also noted that sales rates could be negatively impacted by product differentiation, for example, if overly prescriptive design guidance was imposed by a local authority. Variety and innovation in design, rather than uniformity of appearance, would positively influence market demand and hence the delivery of housing.

THE CBP STUDY

- 4.8 A further report on strategic sites, produced by Colin Buchanan and Partners Ltd on behalf of Countryside Properties in December 2005³, drew upon the findings of a survey of all Local Authorities in the East of England in addition to the assessment of six case studies. It concluded that where a greater number of sites are allocated for development, the contribution that they can make in terms of housing delivery is proportionately increased.

- 4.9 This conclusion was borne out, in part, of an assessment of historic performance. Research indicated that in aggregate terms, strategic sites have made only a limited contribution to housing development in the past 25 years within the East of England. Since 1980 the proportion of housing developed on strategic sites to total dwellings built has gradually increased from 4.5% (in 1980) to 8.6% by 2005. This report also identified a series of factors (listed below) which, the authors opined, would negatively affect the rate of housing delivery for strategic sites:

- Site conditions – environmental issues, site remediation;
- Local market – demand for and supply of local housing;
- Residential density – higher densities lead to increased completions rates;
- Type of developer / house builder – national organisations can build at faster rates than local firms. Having a variety of house builders who have different markets (products) will enable faster rates of development to be achieved;
- Land owner – rate at which the landowner releases land to housing market. Faster rate of release will lead to more completions;
- Level of guidance – clear design and master planning concepts and principles that are adopted by all parties;
- Quality of design – sub-standard design submissions require substantial revision and negotiation;

³ 'Housing Delivery on Strategic Sites' (December 2005)

- Changes to proposals – re-submission of proposals due to site being developed over a considerable period of time and changing circumstances;
- Infrastructure requirements – physical and social infrastructure such as roads, services and facilities maybe required to be implemented before residential development can commence; and,
- Section 106 agreements – negotiations between developers and the local Council and other parties can slow down the development process.

4.10 Clearly, the housing market and national planning policy has shifted markedly since the publication of both these reports. We have been unable to source any updates to these pieces of research which takes into account the housing slump and impact of the recession. Notably, the current trend has also returned to lower densities, which would seem to challenge some of the factors identified above and have a further negative impact on delivery, based on the research undertaken.

DELIVERING LARGE SCALE HOUSING: UNLOCKING SCHEMES AND SITES TO HELP MEET THE UK'S HOUSING NEEDS (SEPTEMBER 2013) RTPI POLICY PAPER

4.11 The report looks at the delivery of housing issue from the perspective of the planning professional, taking on the view that locally-inspired large scale housing scheme could play a significant role in the delivery of the large number of houses the UK needs, but the report notes that large scale housing sites and schemes are only one part of the solution. The paper identifies a number of barriers to delivering large scale housing which include the loud voice of objectors, lack of engagement on the part of local residents, land ownership, public sector land release, the lack of effectiveness of infrastructure funding mechanisms in the current economic climate and financial risk.

4.12 The report assesses the problem with housing in the UK and sets out that while there is a consensus on the need for more housing across all sectors, there is a lack of agreement on both the problem and the solutions and as a result there are a large number of recommendations to boost house building. The RTPI Policy paper concludes that large scale housing-led developments could provide an important part of the response. It acknowledges that there is no statutory or guidance definition of what constitutes 'large scale' housing development, *'however this can be taken to mean sites and schemes consisting of thousands rather than hundreds of houses which either significantly expand a settlement or create a new one, and which have major infrastructure requirements'*.

4.13 The RTPI Policy paper advises that the focus on delivering more housing should now be on a 'demand-informed' approach which understands geographic variation, and that it will take a range of approaches with varying policies in-keeping with the local area to get houses built.

4.14 Amongst a range of 15 recommendations, the Policy Papers recommends the following:

- In promoting large scale housing schemes, the consequences for current and future generations of failing to build enough houses should be made; the opportunities represented by large scale schemes to delivering quality healthy communities should be made clear in community engagement exercises;
- The risks around potential future uplift in land values should be shared more evenly between local authority, developer and land owner so as to bring sites to the market now;
- In view of longer lead-in times involved, central government should incentivise large scale housing schemes, for example through financial mechanisms or national planning policy;
- Where funding isn't available, central government should consider underwriting a certain proportion of the site investment;
- Local authorities and agencies should be given much greater incentives to work collaboratively across borders to strategically plan for housing and infrastructure sites.

EURA CONFERENCE 2013

4.15 This paper by the Northampton Institute for Urban Affairs was based on a study of the Northamptonshire/Milton Keynes Growth area, with a focus on the Milton Keynes South Midlands (MKSM) Plan 2005 which aimed to develop a large number of urban extensions on the edge of existing towns. The paper argued that spatial policy and the economics of delivery are intimately connected.

4.16 The paper noted that there has been a historic under supply of market housing for at least 20 years in the UK, along with a steady decline in the supply of affordable housing. To meet developer concerns about making more land available for housing, the Government (in 2003) introduced the 'Sustainable Communities Plan', which amongst other things identified four major Growth Areas in the South East of England; MKSM was one of the Growth Areas. In the case of the MKSM urban extension, of the 150,000 new homes projected for 2001-2021, approximately 50% were to be in 21 sustainable urban extensions (SUEs) on the edge of major towns in the sub-region and they were proposed to contribute to the government's 'step change' in housing supply.

4.17 Between the years 2006 and 2012, of the total 21 SUEs, the study recorded that only 5 had started on site and those that had started were well below target. The paper further noted that almost all growth in housing numbers in MKSM had actually come not from the SUE's but from smaller sites which had not required extensive planning, yet SUEs remain as the principle areas of future housing land in Local Plans.

4.18 The paper concluded that focusing policy change on the form of new development alone is not going to resolve the UK's housing crisis of building insufficient units to meet national demands;

new forms of spatial development will be unable to offer a solution without significant complementary changes to make it possible for urban extensions or other forms to be deliverable and sustainable. The paper also identified that any alternative strategy for house building should consider a number of measures including (amongst others) mechanisms to bring land forward for development beyond the granting of planning consents to instigate use of designated housing land in Local Plans that is not being brought forward; bringing down the price of land, and bringing to the table local communities, developers and a range of agencies and public.

SITE SPECIFIC CONSIDERATIONS

4.19 As mentioned in the previous chapter, in order to take account of the matters affecting delivery in a consistent manner, we have prepared a pro-forma which will concisely present the following information. Matters considered are set out below.

EVOLUTION – CONCEPTION TO OUTLINE PLANNING PERMISSION

- How the site was originally conceived.
- How was the site brought forward?
 - Development Plan promotion followed by outline planning application/reserved matters applications,
 - Planning application in accordance with adopted Development Plan policy
 - Planning application not in accordance with adopted Development Plan policy.
- If there was a twin track approach to Development Plan promotion and planning application was the application submitted before the allocation had been confirmed in the Development Plan.
- Was an appeal necessary?
- Was the scheme called-in for determination by central government?
- If the scheme was dealt with locally how long did it take from resolution to issuing the planning permission; in other words how long did negotiations on the Section 106 Agreement take? What factors were material in the timescales for resolving the Section 106 Agreement?
- The effect of any statutory challenge on timescales.

EVOLUTION – SALES PROCESS

- Timescales from the grant of outline planning permission to completion of a sale to a developer.

EVOLUTION – OUTLINE PLANNING PERMISSION TO A START ON SITE

- How long after planning permission was granted did it take for the first reserved matters application to be lodged?
- How long did it take for the first reserved matters application to be approved?
- What major off-site infrastructure provision/improvements were required before development could get under-way e.g. link road, by-pass, bridges etc and how did this have an effect on timescales?
- When did development eventually begin?

EVOLUTION – DELIVERY

- How has the site been developed (e.g. lead developer selling serviced plots to other developers, single developer bringing forward the entire site, government agency etc.)?
- How long did it take to complete the first dwelling and what scale of works were required before the first dwelling was completed?
- How many dwellings were completed in the first year?
- How many dwellings have been completed in subsequent years?
- How has competition between multiple developers on the site affected completion rates?

5. CASE STUDIES – ENGLAND - NORTH WEST

- 5.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing none have been returned completed⁴.

⁴ At the time of writing, responses were outstanding for the following sites: Chapelford Urban Village, Warrington (2,500 units); Buckshaw Village, Chorley (2,000). – Requires further information; Clayton-le-Woods, Chorley (1,000). – Requires further information; and Saighton Camp, Chester - Requires further information.

6. CASE STUDIES – ENGLAND - YORKSHIRE & THE HUMBER

- 6.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing not all have been returned⁵. Completed proformas are included at **Appendix 4**.

HUNGATE, YORK

- 6.2 This site was originally allocated pre-1990 but it was not until 2005, some 15 years later, that the first Development Brief was published with a total number of 720 units identified. Development did not commence on site until the beginning of 2008 (Phase 1 for 180 apartments) which took 18 months to complete, being delivered by the end of 2009. The balance of the site has yet to come forward for development, being retained by the developer, and is now subject to a new master plan exercise to potentially increase numbers.
- 6.3 In summary, this site has delivered 180 (apartments) of the identified 720 homes since its inception over 20 years ago.

CARR LODGE, DONCASTER

- 6.4 This site was originally allocated in Doncaster Council's UDP (1998) to deliver 1,550 dwellings. The site is also allocated in the emerging Site & Policies DPD however this is yet to be formally adopted.
- 6.5 14 years after its allocation in the UDP, outline planning permission was granted on 19 March 2012 following the signing of a Section 106 agreement. It took a year from the resolution to grant permission (on 22 February 2011) to issue the Decision Notice once the S106 was signed.
- 6.6 The first reserved matters application was submitted 23 March 2012 for the central spine road. This was approved 31 May 2012. A second reserved matters application was submitted in January 2013 for 304 residential units (reference 13/0073/REMM), being approved 25 March 2013. It is understood the link road was completed in June 2013 and development finally started on site in September 2013.
- 6.7 At the time of writing, it is anticipated that the first dwellings will be completed on site during 2014, some 15 years since the site was first allocated and approaching one year since the approval of reserved matters.

⁵ At the time of writing, responses were outstanding for the following sites: Station Road, Leeds.

CORTONWOOD COLLIERY, ROTHERHAM

- 6.8 The site was brought forward solely by the developer through the development management process, securing the site in 1988 and then obtaining outline planning permission in 1991 for 600 dwellings. It was not until September 1996, 5 years on, that the relevant reserved matters application was approved.
- 6.9 Development commenced on site in 1998 and took 8 years to complete with 529 units at an average annual rate of 66 dwellings per annum.
- 6.10 In summary, the site has delivered 529 of the identified 600 homes since outline planning permission was secured 23 years ago.

STAYNOR HALL, SELBY

- 6.11 This site was first allocated for development in the Deposit Draft Selby District Local Plan in 1995 and it took a further 8 years for a development brief to be produced. An outline planning application was submitted in October 2002 with Outline planning permission being granted (which included details for Phase 1 comprising 240 homes), some three years later on 06 June 2005 following the signing of the S106 3 days earlier. A deed of variation to the S106 was agreed and dated 29 May 2007.
- 6.12 The first RM application for the 2nd phase was submitted 15 July 2005, being approved on 10 November 2005.
- 6.13 Delivery of the first phase began in 2005 20 years after allocation in the Local Plan and 3 years after the submission of the initial planning application. In the 7 years from 2005 to 2011, 429 of the 1200 units allocated since its inception 18 years ago, have been delivered at an average rate of 61 dwellings per annum.

METCALFE LANE, OSBALDWICK

- 6.14 This site was allocated in the Ryedale Local Plan in circa. 1994 with a capacity of 540 dwellings. Following a development brief produced in 2002 for an eco-exemplar development, the Joseph Rowntree Housing Trust submitted an outline application in August 2003. Following committee resolution to approve, the scheme was directed to be referred to the Secretary of State in September 2005. The S106 was signed October 2006 and outline planning permission for 540 dwellings was granted following referral to the SoS on 09 May 2007; a period of 4 years from submission to granting outline planning permission
- 6.15 Development began on site in 2009, however these were prototypes and it was not until 2012 that houses started to be delivered.
- 6.16 By the end of 2013, 64 out of the 540 units allocated 19 years previously, have been delivered.

SHARP LANE, LEEDS

- 6.17 Following a development brief produced for this Council owned site in 2001, the Council submitted an outline planning application in February of the same year. The application received a resolution to grant on 10 January 2002. It took a 3 year period to resolve S106 matters, with outline planning permission being granted on 10 February 2005.
- 6.18 Following an application to extend the life of the permission, the first reserved matters application for 1,284 units was submitted in March 2005, and approved 21 July 2006. There were 137 houses delivered in the first year of development in 2007 by 4 different developers (an average of 35 dwellings per annum per developer). 573 dwellings have been delivered to date.
- 6.19 In summary, the site was granted planning permission prior to any allocation in the Development Plan and has taken 12 years from a grant of planning permission to deliver 573 houses of the 1,284 permitted.

7. CASE STUDIES – ENGLAND - THE WEST MIDLANDS

- 7.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing not all have been returned. Completed proformas are included at **Appendix 5**.

DICKENS HEATH, SOLIHULL

- 7.2 This site was allocated in the Solihull UDP in 1997 with a capacity of 850 dwellings. A twin-track outline planning application was submitted for the site prior to its allocation and because of this approach the first homes were delivered in 1998 by a consortium of lead developers, with a total of 132 dwellings being completed that year. It is important to note that equalisation agreements and options were agreed on the land prior to the grant of planning permission so site sale was already tied into contracts once permission was granted.

LAWLEY VILLAGE, TELFORD AND WREKIN

- 7.3 Lawley SUE is a one of the main strategic housing sites within Telford, the development of which will take place over a 15 years period. Outline planning permission was granted in October 2005 for 3,300 dwellings.
- 7.4 The first phase reserved matters application was approved in July 2007. The first dwellings were delivered in 2008, however as development expanded, major infrastructure was required and took 2 years to be complete. This resulted in the remaining units being completed in 2012, 6 years after development started.
- 7.5 In summary, the site has delivered 417 dwellings of the identified 3,300 homes since its inception 11 years ago.

LIGHTMOOR VILLAGE, TELFORD AND WREKIN

- 7.6 The site was first granted outline planning permission from the Commission for New Towns in 1991, after which a masterplan was created in the late 1990's. A new outline planning application was submitted in 2002 after the original site boundaries were changed gaining permission on 23 September 2003. An application for variation to the original outline permission to amend the masterplan in relation to the boundaries of proposed primary school, sports pitches and residential area was granted 10 October.
- 7.7 From the inception 23 years ago, 301 dwellings have been delivered out of 800 permitted for development.

BRANSTON, EAST STAFFORDSHIRE

- 7.8 This former gravel works site was first subject to an outline planning application in 1990. In the following years until 2004 subsequent reserved matters applications were submitted with only one coming forward for 50 houses. A change of land owner prompted the submission of a new outline planning application in October 2011 for a mixed use development including 660 dwellings. Following non-determination of the application (the application had still not been determined by August 2012), an appeal was submitted in December 2012.
- 7.9 The appeal Inquiry was held in May 2013 and the appeal decision was issued in July 2013 to allow the appeal. However, prior to this the appeal had been recovered by the Secretary of State (in January 2013). The SoS subsequently agreed with the inspector's decision and the appeal was formally allowed by the SoS on 3 October 2013.
- 7.10 Whilst the appeal was underway, the LPA subsequently determined the outline planning application at their March 2013 planning committee and refused the application on amenity and highways grounds. Following this refusal, the applicant resubmitted the application, with minor revisions and the planning committee resolved to approve the application on 8th July 2013. The Section 106 was signed and agreed on 17th July 2013 and was submitted to the Inspector as part of the appeal process on the first outline application.
- 7.11 In summary, since the inception of the site 24 years ago, none of the 660 dwellings permitted on site have been delivered.

8. CASE STUDIES – ENGLAND - THE EAST MIDLANDS

- 8.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing not all have been returned⁶. Completed proformas are included at **Appendix 6**.

UPTON, NORTHAMPTON

- 8.2 The site was originally conceived in 1973 with the current allocation boundary amended in the Northampton Local Plan (1997) with a total number of 1,000 homes identified. The site is currently under the ownership of the HCA with an outline planning application having been submitted in 2011, which remains undetermined some 18 months later with scheme viability stalling s106 negotiations. The site is being promoted in the emerging joint Core Strategy.
- 8.3 Some 16 years since its allocation, the site has yet to deliver a single home.

ASHTON GREEN, LEICESTER

- 8.3 The wider site has been a strategic development location for over 30 years with the last development taking place some 15 years ago. The site is wholly owned by the Council and was allocated in the November 2010 Core Strategy, with outline planning permission being granted in March 2011 with a site capacity of approximately 2,500 dwellings.
- 8.4 The Council sought a development partner in 2012 but this process stalled due to the nature of several onerous planning conditions, including for major off-site infrastructure improvements. A current s.73 application is with the Council at the time of writing which seeks to vary these conditions.
- 8.5 No houses have been delivered on site.

MONKSMOOR FARM, DAVENTRY

- 8.6 Though it was considered in non-statutory strategic documents, this site was brought forward in the absence of a plan allocation via an outline planning application in July 2007, which was followed by an appeal against non-determination in August 2008. Outline planning permission was granted for up to 1,000 dwellings in April 2010 by the SOS following a recovered appeal. Importantly, the accompanying s106 agreement requires significant off-site highway works to be completed prior to the 200th occupation.

⁶ At the time of writing, responses were outstanding for the following sites: Warwick Road, Harborough; Gamston, Rushcliffe; Elsea Park, South Kesteven and Wellingborough East, Wellingborough.

- 8.7 Following the grant of planning permission, a site sale took 2 years with approval of reserved matters taking a further 6 months.
- 8.8 Following a start on site in August 2013, it is anticipated by the Council that the first houses will be delivered in mid-2014, some seven years after the initial planning application was lodged.

PRIORS HALL, CORBY

- 8.9 This site was promoted by the landowner for up to 5,200 dwellings. Following submission of an outline planning application in 2004, the Council's Planning Committee resolved to grant permission in April 2005 though it took a further 23 months to resolve s106 matters (relating to the impact upon the viability of the scheme) with outline planning permission eventually being granted and the Notice issued in March 2007.
- 8.10 The first reserved matters application (infrastructure) was submitted in October 2007 and approved in December that year. The first housing reserved matters application was not made until June 2009 being approved in September 2009. The first dwellings were completed 6 months after approval of reserved matters in 2010, with 82 dwellings completed in the first year, 56 in year 2 and 21 in year 3.
- 8.11 Since submission of the initial application 2004, the site has delivered 159 dwellings, taking 6 years to deliver the first homes.

COTGRAVE COLLIERY, NOTTINGHAMSHIRE

- 8.12 This site was first allocated for redevelopment for employment use in the Local Plan (1996) and later in the East Midlands RSS (2009) as a brownfield development opportunity. More recently the site was identified in the Core Strategy (2012) as a strategic site.
- 8.13 A planning application for 470 units was referred to the Government Office for the East Midlands to consider whether it should be referred to the Secretary of State due to its location within the Green Belt. However the Council were allowed to determine it as the Secretary of State did not wish to intervene. A subsequent reserved matters application is yet to be determined by the Council (having been submitted in September 2013). Prior to any development starting a number of infrastructure works, including new access points, a footbridge as well as development in the town centre will need to be completed.
- 8.14 18 years since the site was first identified for development there have been no units delivered.

FARNDON ROAD, HARBOROUGH

- 8.15 An outline planning application was submitted in 2001 by the developer. Following non-determination, after a period of 3 years, an appeal was submitted October 2004. The appeal was recovered by the SoS and allowed March 2006 for 658 dwellings. Subsequent applications have

been submitted to the Council by various developers and there are currently three developers with planning permission on site. The first reserved matters application was submitted in March 2007 being approved in December 2008.

- 8.16 The site has since been allocated for 400 houses in the Harborough District Local Plan (2007 [saved]). 114 houses have been delivered since 2010, 13 years since the submission of the initial outline planning application.

MIDDLEMORE, DAVENTRY

- 8.17 This Council owned site was first allocated in the Local Plan (1997) with 676 units identified. The Council secured outline planning permission in 1999 and then sold off parcels of the site to developers. The planning permission was renewed in July 2002.
- 8.18 The first reserved matters application was registered in February 2002, and approved April 2002. Infrastructure that was required prior to development commencing on site was delivered by the Council before plots were sold to developers. Since 2003 it is estimated that 525 dwellings have been completed.
- 8.19 In summary, in the 16 years since inception of the site, 525 dwellings have been delivered from the 676 identified.

MELTON ROAD, RUSHCLIFFE

- 8.20 The site was brought forward by the landowners via an outline planning application which was submitted in April 2008, for 1,200 units, and granted planning permission at appeal in July 2009 (by SoS) due to the lack of housing land supply.
- 8.21 Reserved matters were approved 18 months after the grant of outline planning permission (March 2011) and three developers have since taken on the site. Major infrastructure off site is still required, including a road junction and despite planning permission being granted in April 2013 which varied the condition relating to the delivery of this grade separated junction the scheme has stalled and to date only 1 dwelling has been delivered since the inception of the site 5 years ago.

POPLAR FARM, SOUTH KESTEVEN

- 8.22 The site was allocated in the 1995 Local Plan with a capacity of 1,550 units and part has been built out. A wider site was identified in the adopted Core Strategy (2010) and allocated a capacity of 1,800 units. A twin-track outline planning application was submitted for 1,800 units in June 2009 with a resolution to grant in September 2009. Planning permission was granted June 2011 following 20 months S106 negotiations. The second phase is subject to a detailed allocation in the draft Grantham Area Action Plan.
- 8.23 Reserved matters planning approval was granted 16 months after outline planning permission.

- 8.24 Some 18 years since its initial allocation, the site has delivered 1 dwelling.

WELLINGBOROUGH NORTH, WELLINGBOROUGH

- 8.25 This site was identified in the Core Strategy (2008) to deliver 3,000 dwellings after parts of the site were allocated in the draft Local Plan.
- 8.26 An outline planning application was submitted and was refused in 2007, however an identical outline planning application was submitted in 2008. Following non-determination and an appeal (which was recovered), the SoS granted outline planning permission in February 2010. The site was the subject of lengthy S106 negotiations which included a number of land owners, (including the LPA who were material in the delay of the decision). The outline permission was due to lapse in February 2013, but a renewal permission was granted by the LPA in January 2013 and the permission remains extant. No reserved matters applications have been submitted to date.
- 8.27 In summary, the application was submitted prior to the adoption of the Core Strategy and is yet to have a reserved matters submission or deliver any homes 6 years after its allocation.

EAST KETTERING, KETTERING

- 8.28 This site was identified to deliver 5,500 dwellings in the Core Strategy which was adopted in 2008 but was brought forward by the developer via an outline planning application submitted in 2007. It took circa. 3 years for planning permission to be granted in April 2010. The s106 was re-negotiated and finalised in September 2013. Two reserved matters applications were submitted to the Council in March 2013 but remain undetermined.
- 8.29 No houses have been delivered to date, 6 years since the site was allocated.

LUBBESTHORPE, BLABY

- 8.30 The site was originally allocated under the draft Local Plan however this was withdrawn and the site was brought forward by the developer prior to its allocation in the adopted Local Plan (February 2013) with an identified a capacity of 4,250 dwellings. An outline application was lodged in February 2011. The application was resolved to be approved in November 2012. Following confirmation from the SoS in March 2013 that the application could be determined by the LPA, and following S106 negotiations, outline planning permission was granted on 14 January 2014. Factors that delayed the signing of the s106 agreement involved infrastructure, highways, education and recreation facilities.
- 8.31 No reserved matters applications have been submitted to date.

NORTH WEST STRATEGIC DEVELOPMENT AREA

- 8.32 The Council's 2009 SHLAA identified a capacity for 1,000 dwellings on this site. An outline planning application was submitted in January 2011 before the adoption of the Core Strategy in November 2011, which also identified the location for an urban extension. The application has progressed as a strategic allocation within the Local Plan however the application remains undetermined due to the S106 not yet being signed. The outline application remains undetermined since its submission 3 years ago.
- 8.33 No houses have been delivered.

WELDON PARK, CORBY

- 8.34 The site was brought forward by developers via an outline planning application for 1,000 dwellings which was submitted in July 2007, 2 years prior to its allocation in the Draft Proposals Map (September 2009). The application was refused planning permission due to issues with the layout, however a revised application was submitted in February 2009. The application is still pending determination subject to a s106 agreement.
- 8.35 No houses have been delivered on site, 5 years after the submission of the second planning application.

9. CASE STUDIES – ENGLAND - THE SOUTH EAST

- 9.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing not all have been returned⁷. Completed proformas are included at **Appendix 7**.

PARK PREWETT, BASINGSTOKE AND DEANE

- 9.2 This site was allocated in the Local Plan for the period 1991-2001 and an outline planning application granted for 1250 dwellings (and other uses) in 1997. The outline application was granted locally without recourse to appeal or Call-In procedures. The associated S106 agreement was subject to a number of Deeds of Variation.
- 9.3 The first reserved matters application was submitted and approved 8 years after the grant of outline permission.

SHERFIELD PARK, BASINGSTOKE AND DEANE

- 9.4 This site was allocated for 700 dwellings and resolution to grant outline planning permission was made on receipt of the Local Plan Inspector's Report in 2005. Following this resolution, completion of the S106 took approximately two years due to problems with the approved access and s106 considerations. The first reserved matters application was made two years later..

RUSHMOOR, ALDERSHOT

- 9.5 This site is a former MOD site identified for redevelopment as part of the Strategic Defence Review in 2001.
- 9.6 The Council adopted a Development Brief Supplementary Planning Document for the site in 2009, which identified a development of up to 4,500 dwellings. This was subsequently reduced to 4,350 dwellings in the Core Strategy (2011) and the subsequent planning application (submitted in December 2012) sought permission for 3,850 dwellings. A resolution to grant planning permission was passed in July 2013 subject to the completion of a S106 agreement which is ongoing. The Council has advised that planning permission is to be formally granted within the next six months and works to progress on site in 2014.
- 9.7 Since its inception 2001, the site has yet to deliver dwellings.

⁷ At the time of writing, responses were outstanding for the following sites: Graylingwell Park, Chichester (750); West Durrington, Worthing; Whitehill, East Hampshire; Rowner, Gosport; Centenary Key, Southampton; Crawley NE Sector, Crawley; Haywoods Heath, Mid Sussex; Horley NW Sector, Reigate and Banstead; Cippenham, Slough; Greater Beaulieu Park, Chelmsford; Turner Village Hospital, Colchester; Colchester Garrison, Colchester; Severalls Hospital Site, Colchester; East Anton, Test Valley; Wixhams, Bedford; Pratts Quarry, Central Bedford; and Grovebury, Central Bedford.

BEAULIEU PARK, CHELMSFORD

- 9.8 The site was allocated in the North Chelmsford Area Action Plan (2011) for a development of 3,600 dwellings following an earlier application in 2003 and submission of an Environmental Impact Assessment in 2009. A resolution to grant outline planning permission was passed in November 2012 subject to a S106 agreement which is yet to be executed.
- 9.9 Delivery is contingent on a Radial Distributor Road and a new railway station. Timescales for completion of the S106 agreement and any subsequent reserved matters are unknown.

BELSTEADS FARM, CHELMSFORD

- 9.10 The site was allocated in the North Chelmsford Area Action Plan (2011) for up to 750 dwellings and was subject to an outline application (for 750 dwellings) submitted in January 2011. This was considered by the Council's Planning Committee in June 2012 and outline planning permission granted in October 2012 following the completion of a S106 agreement. The first reserved matters application was granted in June 2013 for 181 dwellings and the Council has advised that the development is likely to commence in September 2013.

UNIVERSITY CAMPUS, CHELMSFORD

- 9.11 The site was allocated for 507 dwellings in the Chelmsford Town Centre Action Plan (2008) following an earlier application in 2003 for comprehensive redevelopment. A hybrid application was submitted in 2011 and received a resolution to grant planning permission in January 2012. The S106 agreement was completed and planning permission formally granted in November 2012. Construction works commenced in January 2013 but the Council is unable to confirm when dwellings will be delivered or estimated completion dates.
- 9.12 Since allocation 5 years ago, the site has yet to deliver any dwellings.

NORTH COLCHESTER, COLCHESTER

- 9.13 The site was identified as a strategic location for up to 2,200 dwellings in the Colchester Core Strategy (2008) for the period 2016-onwards. The Site Allocations document (October 2010) provides extra detail for the broad area of new housing identified within the Core Strategy and North Colchester is expected to be the focus of significant new development over the next 15 years with the urban extension identified to deliver a minimum of 2200 dwellings. A resolution to grant outline planning permission for 1,600 dwellings was passed in September 2013 subject to referral to the Secretary of State and completion of a S106 agreement.

- 9.14 In terms of infrastructure, road improvement would be required to the Northern Access Road prior to implementation. Timescales for the submission of reserved matters and subsequent housing delivery is undetermined.
- 9.15 Since allocation 5 years ago, the site has yet to deliver any dwellings.

WITNEY (NORTH CURBRIDGE), WEST OXFORDSHIRE

- 9.16 This site was first identified in the 2003 deposit draft local plan as a preferred location for about 800 dwellings and on adoption, was allocated as a reserved mixed use site. Changes to the original allocation are reflected in Core Policy 27 of the Draft Local Plan (October 2012) and the site is now identified as a strategic development area. The site only benefits from a resolution to grant permission (18 March 2013) subject to the applicant first entering into a Section 106 Agreement and Section 278 Agreement.
- 9.17 Since inception 10 years ago, the site has yet to deliver any dwellings.

BROUGHTON GATE / BROOKLANDS, MILTON KEYNES

- 9.18 This site was allocated in the Milton Keynes Local Plan (2005) for a development of up to 4,000 dwellings. The Council also adopted the Eastern Expansion Area Development Supplementary Planning Document (2005). Outline planning applications were submitted for Broughton Gate (1,500 dwellings, June 2004) and Brooklands (2,500 dwellings, December 2005).
- 9.19 The Broughton Gate application received a resolution to grant planning permission in January 2005 and the S106 agreement was completed in July 2005. The Brooklands application received a resolution to grant planning permission in August 2006 and the S106 agreement was completed in August 2007. The first reserved matters applications were submitted 12 months later.
- 9.20 In terms of infrastructure, improvement to J14 of the M1 is required prior to completion of 550th dwelling. The first dwellings were completed in January 2008 and approximately 90 dwellings were completed in the first year. The Council has advised that competition between developers has maintained a steady rate of delivery.
- 9.21 This site has taken 3 years to deliver homes, however, significant infrastructure improvement is required to be in place before the full development potential can be achieved.

FAIRFIELD AREA 11 / FAIRFIELD 10.1-10.3, MILTON KEYNES

- 9.22 This site was allocated in the Milton Keynes Local Plan (2005) for a development of up to 6,550 dwellings. The Council also adopted the Western Expansion Area Development Supplementary Planning Document (2005).

- 9.23 Outline applications were submitted in 2005 (430 dwellings, Area 10) and 2006 (2,300 dwellings, Area 11). The S106 agreements were completed in 2007. The first reserved matters applications were lodged in 2008 and took three years to approve. Development is due to commence in September 2013.
- 9.24 Since inception 8 years ago, this site has yet to deliver any dwellings.

GREAT DENHAM, BEDFORD

- 9.25 This site was first allocated in the Bedfordshire Structure Plan in March 1997 and brought forward for 1,450 homes in the Bedford Local Plan adopted in October 2002. Outline Planning Permission was resolved in September 2005 with permission issued in March 2007, 18 months later due to the complexity of the legal agreements (40 in total) between three landowners to ensure the delivery of the western bypass.
- 9.26 The first reserved matters applications were submitted in 2010, with approval coming in 2011. There was no off-site infrastructure requirement.
- 9.27 The site took 10 years from identification in the Structure Plan to receive Outline planning Permission and delivered 54 homes in its first year of build.

WEST OF KEMPSTON, BEDFORD

- 9.28 This site was brought forward as a Strategic allocation in the Structure Plan (dated March 1997) and allocation in the Local Plan in October 2002 for 730 dwellings. Committee resolved to grant OPP in 2005 and permission was issued in 2007 following the completion of complex legal agreements by 3 landowners, which were required to help secure the western bypass.
- 9.29 The delivery of housing started in 2009 with the first houses completed in 2010. 24 houses were completed in 2010/11, a further 61 in 2011/12 and 135 in 2012/13 by a consortium of volume house builders.
- 9.30 From allocation in the Structure Plan it took 10 years to receive Outline Planning Permission. From there it took a further 2 years to deliver the first homes.

NORTH OF BRONHAM ROAD, BEDFORD

- 9.31 This site was brought forward as a Strategic allocation in the Structure Plan (dated March 1997) and allocation in the Local Plan in October 2002. Due to the need to deliver a northern bypass, though an outline planning application is with the Council the s106 agreement remains unsigned.
- 9.32 The site has yet to deliver homes some 16 years since allocation.

WEST OF WATERLOOVILLE, HAMPSHIRE (GRAINGER)

- 9.33 The West of Waterlooville development is split into two land ownerships – Grainger and Taylor Wimpey. The Grainger owned land comprises 2550 units, with 450 units being located on Taylor Wimpey owned land.
- 9.34 The Grainger portion of the site was originally conceived in the Hampshire County Structure Plan Review 1996-2011 (2000) for a total number of 2550 units. The site was further allocated in the Winchester District Local Plan Review (2006) and Winchester Core Strategy (March 2013) as a Major Development Area. Outline planning permission was granted in January 2008, following the signing of the S106 legal agreement in December 2007.
- 9.35 A revised outline application was submitted in November 2010 for 3550 units – the additional 1000 units was included on an area of reserved allocated land. Outline planning permission was granted on 21st March 2011.
- 9.36 Development first started on site April 2009 with the land owner commencing infrastructure works prior to selling the site to housebuilders. It is understood that the construction of show homes commenced in June 2013, with no current information on the number of dwellings being delivered to date. From the information provided, no dwellings have been delivered in the 5 years since outline permission was first granted and 14 years since the site was allocated.

WEST OF WATERLOOVILLE, HAMPSHIRE (TAYLOR WIMPEY)

- 9.37 As above, the Taylor Wimpey portion of the subject site was also conceived in the Hampshire County Structure Plan Review (1996-2011), but for a total number of 450 units. The site was further allocated in the Winchester District Local Plan Review (2006) and Winchester Core Strategy (March 2013) as a Major Development Area.
- 9.38 Outline planning permission was granted in November 2006 with the S106 being signed in December 2007. Reserved Matters approval followed in February 2008, with development commencing on site in April 2009. 38 units were delivered in the first year of construction.
- 9.39 Up to year 2012/13, a total of 221 units have been completed. It has taken 6 years since the grant of planning permission to deliver 221 of the total 450 approved units, 14 years since the site was allocated.

QUEEN ELIZABETH PARK, GUILDFORD

- 9.40 The site was allocated for housing in the Guildford Local Plan (January 2003). A Design Brief was also drawn up for the Queen Elizabeth Barracks in 1999, which included a maximum of 450 units being envisaged for Queen Elizabeth Park.

- 9.41 Outline planning permission was granted in October 2001 for 525 dwellings alongside other mixed use development (including employment, nursing home, community facilities, retail, health and fitness centre, open space and associated infrastructure). The first Reserved Matters were approved in February 2002, with development commencing on site in November/December 2002. Planning obligations relating to the provision of a pedestrian footbridge and bus lanes were required to be delivered prior to occupation.
- 9.42 The site was built out to completion (total 525 units) by March 2008. It therefore took circa 7 years to deliver the full development following the initial outline approval.

HORLEY NORTH EAST SECTOR, REIGATE AND BANSTEAD

- 9.43 The North East Sector site formed part of the housing allocations identified in the Local Plan (adopted 1994), and was further included in the next Local Plan which was adopted in 2005. It was identified as an urban extension excluded from the Green Belt and identified for meeting long term development needs; it was also included in the Horley masterplan. The site was allocated for 710 dwellings.
- 9.44 Outline planning permission was granted in September 2006 for a new neighbourhood, to include 600 units and other elements of development (such as a primary school, local centre, community hall, and open space). The first Reserved Matters application was then approved in May 2007. Pre-occupation conditions attached to the outline planning permission required a new access road, new access junction and other junction improvements to be completed.
- 9.45 Development commenced on site in 2009 with 76 units being completed in that first year. Up to year 2013, 467 units had been completed.
- 9.46 From the first allocation for housing in the 1994 local Plan, to the commencement of development in 2009, it has taken circa 19 years to deliver 467 units.

BERRYFIELDS, AYLESBURY

- 9.47 The Aylesbury District Local Plan (adopted in January 2004) identified that 2,700 units would be delivered in Aylesbury through Major Development Areas. Berryfields is classified as a Major Development Area and was brought forward via Berryfields Development Brief which was adopted as an SPG in March 2004.
- 9.48 An outline application was submitted in October 2003 for 3000 dwellings alongside employment uses, a district centre, schools, public open space and recreation and park and ride facilities. Outline planning permission was granted November 2007, and the first Reserved Matters approval following in October 2008. As part of the proposals a new link road was required.

- 9.49 Construction commenced on site July 2010 with 245 units having been completed by March 2012, meaning that it has taken 8 years to deliver 245 of the total 2,700 units since the site was allocated in the Local Plan in 2004 (9 since submission of the planning application).

MARKS FARM, BRAINTREE

- 9.50 Information relating to the planning history of this site is limited, but it from the information received, development commenced in 1989 with the first dwellinghouses being delivered in circa 1991. To date, the information provided is that 1,329 dwellings have been delivered across the Marks Farm site up to the year 2003.

PONDHOLTON FARM, BRAINTREE

- 9.51 Limited information has been made available relating to the subject site, however outline planning permission was granted in August 2000 for 800 dwellings following the initial submission of the application in December 1991. The S106 was dated the same date as the decision, with a supplementary S106 agreement being signed in December 2004 relating to affordable housing provision.
- 9.52 A subsequent application for an outline masterplan was granted permission by the local planning authority in June 2001 along with the approval of numerous reserved matters applications and a full application (for phased development) being granted in the years following (the latest application being part granted/part refused in 2010).
- 9.53 The first units were commenced on site in 2002; 72 dwellings were completed in the first year. A total of 849 dwellings have been completed in the 13 years since outline planning permission was first granted in 2000.

PICKET TWENTY, TEST VALLEY

- 9.54 The Hampshire County Structure Plan allocated a requirement for 3000 dwellings in Andover, with the site then being allocated for 1,200 units in the Test Valley Local Plan (2006) under Policy AND02. Prior to that, an outline planning application was submitted to the local planning authority for 1,200 dwellings in November 2004, being considered at planning committee in June 2006 and again in June 2007. Outline planning permission was finally granted on 31 January 2008 following the completion of the S106 on the same date, some 4 years after the planning application was submitted.
- 9.55 The first Reserved Matters application (for 203 dwellings) was submitted in October 2008 and being approved July 2009.
- 9.56 Development commenced on site in 2010 with the S106 requiring the construction of a new roundabout prior to occupation of first dwellings. The first 100 dwellings were delivered in 2011

with 250 units understood to be occupied to date. Since the grant of planning permission in 2008 (5 years ago), of the total 1200 units, 325 have been completed.

GROVE AIRFIELD, VALE OF WHITE HORSE

- 9.57 In 1991, a consortium of land owners was put together to jointly promote the land at Grove Airfield as a proposed housing allocation in the emerging Vale of White Horse Local Plan in 1999. The site was eventually allocated for housing in the Vale of White Horse Local Plan which was published in July 2006, 15 years after its inception.
- 9.58 An SPG was adopted in July 2006 which set out how the site was envisaged being developed in order to deliver the allocated 2,500 dwellings.
- 9.59 An outline application was submitted in February 2012 and remains undetermined. The application comprises 2,500 dwellings along with associated services and facilities. It is understood that a southern access road and northern link road will need to be delivered before the 150th unit is built.
- 9.60 In essence, to date no dwellings have been delivered since the site was allocated in 2006 and some 23 years since inception.

NE CARTERTON, WEST OXFORDSHIRE

- 9.61 Consideration of the major expansion of Carterton first arose during the review of the Local Plan in 1988, with support in principle for the site's allocation for housing to be included in the Local Plan in 1989. The expansion of Carterton was debated at examination into the Oxfordshire Structure Plan in March 1991, with the Plan being approved in 1992 containing provision for the expansion of Carterton for 1,499 units. The site was subsequently allocated in the Local Plan (1997) and in the existing Local Plan (adopted 2011).
- 9.62 An Outline application was submitted in July 1997 and granted permission in September 1998. A subsequent Reserved Matters application was submitted in February 2000, with the approval following soon after in June 2000. Development commenced in September 2000, with the first dwellings (12 in total) being completed by March 2001. Since then, a total of 1499 units have been delivered on site. From initial allocation in 1992 it took 9 years to deliver the first homes.

LADYGROVE EAST, SOUTH OXFORDSHIRE

- 9.63 The site was allocated in the South Oxfordshire Local Plan (adopted in 2006) for the delivery of 642 dwellings. Prior to that, two Outline planning applications were submitted in 1997 and in 2000. There was a resolution to grant Outline permission in July 2006 however the S106 remained unsigned according to subsequent AMR's. The site has been promoted since with different agents, however no further application has been submitted.

- 9.64 No dwellings have been delivered in the 7 years since the site was allocated and 17 years since the first outline planning application was made.

DIDCOT WEST, SOUTH OXFORDSHIRE

- 9.65 The site at Didcot West has been the subject of policy deliberations dating back many years. Didcot was identified for further growth in 1998 when the Oxfordshire Structure Plan was published.
- 9.66 The site was allocated for 3,200 in the South Oxfordshire Local Plan 2011 (adopted 2006), however the site was also the subject of dual planning application submissions (prior to the Local Plan allocation) for 3,300 units in October 2002. An appeal was lodged on the dual application due to non-determination, but was subsequently withdrawn following a grant of planning permission for the duplicate; the withdrawal was an obligation in the S106 legal agreement. The planning committee resolved to grant planning permission in July 2006, however the S106 was not completed until July 2008, some 6 years after submission. Reserved Matters approval followed in June 2010.
- 9.67 The first dwelling was completed and occupied in December 2011 with 386 total units being delivered up to August 2013.
- 9.68 It has taken 9 years from submission to deliver the first homes.

WEEDON HILL, AYLESBURY

- 9.69 The Aylesbury District Local Plan (January 2004) identified 2,700 houses to be delivered in Aylesbury, with Weedon Hill being identified as a major development area, being brought forward via the Weedon Hill Development Brief (as adopted SPG) to deliver 850 units.
- 9.70 An Outline planning application was submitted in February 2003 for the development of 850 units and was granted planning permission in November 2004. Subsequently, the first Reserved Matters application was submitted in March 2006 and was approved in June 2006; further Reserved Matters applications have been submitted and approved since.
- 9.71 The first house was delivered between April 2006 and March 2007 3 to 4 years after the initial application submission. .

10. CASE STUDIES - ENGLAND - THE SOUTH WEST

- 10.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing not all have been returned⁸. Completed proformas are included at **Appendix 8**.

NORTH EAST BRIDGEWATER (2,000)

- 10.2 This vacant, previously developed site was promoted as a strategic mixed use site through RS for the South West. The site was driven by the need to find a Regional Distribution Centre for Morrisons' Superstores and thus brought forward through a partnership between the 2 landowners and the Council. Though the site was promoted through the Core Strategy, outline planning permission for up to 2,000 dwellings was granted prior to the examination with committee resolving to grant in September 2009 and the decision notice being issued some 9 months later in July 2010. A hybrid application primarily for employment use and 426 dwellings followed.
- 10.3 Importantly the site required HCA Kick Start funding to encourage build out, which stipulated that 200 homes had to be provided by July 2012 and was achieved following a start on site in 2011. This makes this an unusual site in that houses were started prior to access roads and infrastructure being completed, and skews completion rates, with only one private developer on site. Even so, the delivery of homes took some 6 years.

CRANBROOK, EAST DEVON

- 10.4 This site was allocated in the Devon Structure plan (2004) for up to 3,500. Subsequently this has been increased in the emerging local Plan to 6,000. Committee resolved to grant planning permission in 2005 subject to completion of a s106 agreement. S106 matters took 5 years to resolve with planning permission finally granted in October 2010. Whilst most of the issues were agreed in principle, multi-agency agreements, clawback clauses and the complexity of the scheme caused significant delay.
- 10.5 The first reserved matters application for 1,100 dwellings was lodged in January 2011 and approved in April 2011 (3 months) with the first dwellings being completed in 2012. Whilst 200 dwellings have been completed in the first year, policy restraint elsewhere has influenced this and led to increased rates of delivery.
- 10.6 The period from allocation to delivery of homes on this site was 8 years.

⁸ At the time of writing, responses were outstanding for the following sites: Old Sarum, Salisbury and Royal Navy Store, Exeter City.

MONKTON HEATHFIELD, TAUNTON DEANE

- 10.7 This site was originally allocated in the Local Plan (2004) for up to 1,000 homes being subsequently taken forward as a strategic allocation in RSS for 4,500. Whilst RSS was not progressed, using the evidence base, the site was carried forward in the Core Strategy (2012) for 3,500 dwellings (in addition to Local Plan allocation).
- 10.8 An outline application submitted in 2005 for 900 of the 1,000 dwellings was refused but granted at appeal in 2007. Effectively Phase 1 represents the Local Plan allocation, Phase 2 the Core strategy allocation. Phase 1 has full planning permission for 450 dwellings and work started in 2012. No houses have been delivered at the time of writing. Furthermore, development beyond 349 dwellings requires a relief road to the east, beyond the 651 dwelling limit requires a relief road to the west. The latter is ransomed. Approximately 100 homes have been delivered since a start on site in 2012, with conflict between lead developers impacting progress.
- 10.9 From allocation, the delivery of the first homes took 8 years.

HUNTS GROVE, STROUD

- 10.10 An allocation for 1,750 dwellings in the 2005 Local Plan, outline planning permission was sought just prior to adoption of the Plan and granted following a call-in inquiry. Reserved matters were handled within 18 months and development started in 2008 and approximately 400 dwellings have been completed to date, with the first being delivered in 2010. To date, no significant off-site works have been required though highway improvements are required before later phases can come forward.
- 10.11 From allocation, the delivery of the first homes took 5 years.

POUNDBURY, WEST DORSET

- 10.12 This site was promoted as an urban extension to Dorchester, with 2,200 dwellings expected to be built by 2025. The first Outline Application for mixed use development was submitted in 1989 and since that time, the site has been brought forward in the Local Plan in 1998, 2006 and the latest version. The Poundbury Development Brief was also adopted in 2006 to guide decision-making for the development.
- 10.13 Following the grant of Outline Permission in 1989, the first Reserved Matters application was submitted 6 years later in early 1995 and was approved August 1995. The first houses were delivered in 1994 (38 in total) 5 years after the grant of permission, and since that time 1,723 units have been delivered up to the present year; 1,723 dwellings have been delivered in the 24 years since the approval of outline planning permission in 1989.

KINGS GATE, AMESBURY, WILTSHIRE

- 10.14 Part of the site was allocated in the Salisbury Local Plan (June 2004), with the majority of the site being conceived through the South Wiltshire Core Strategy (adopted February 2012) as a strategic allocation for 1,300 units.
- 10.15 Outline planning permission was resolved to be granted in January 2013 for 460 dwellings and a 60-bed extra care facility. Planning permission was granted in May 2013 following four / five months of S106 negotiations relating to affordable housing, recreational provision and transport contributions.
- 10.16 To date no Reserved Matters application have been submitted and no homes have been delivered since the site was first allocated in the Salisbury Local Plan in 2004; 9 years ago.

LYDE ROAD, SOUTH SOMERSET

- 10.17 The site was first allocated in the South Somerset Local Plan Deposit Draft (1998) as a housing site for 717 units. Outline planning permission was granted 10 years later in January 2008 (submitted March 2006, with a resolution to grant in April 2007).
- 10.18 The first Reserved Matters application was submitted in September 2008 and was not approved until August 2009. At the time of the outline application, another application was submitted for the construction of a roundabout and road and this was not approved until May 2007.
- 10.19 Development first commenced on site in 2010, with 226 dwellings being completed in the first year. The high completion rate was due to the majority of these dwellings being affordable housing and they had to be completed within the financial year because of issues with government funding.
- 10.20 In total, 393 units have been completed to date since the first outline approval in January 2008.

THORNE LANE, SOUTH SOMERSET

- 10.21 This site is allocated as a Key Site in the South Somerset Local Plan (adopted 2006) – policy KS/YEW1/2 – to deliver a total of 830 dwellings. Prior to this, an Outline planning application was validated in March 2005 for the mixed use development of the site including 830 dwellings. Outline planning permission was granted August 2007, following the completion of a Section 106 agreement two days earlier which had been negotiated over a period of 12 months.
- 10.22 Following the sale of the site to a house builder, the first Reserved Matters application was submitted in February 2011, being approved in April 2012. Works commenced on site in October 2013 – some 6 years after outline permission was granted – and it is understood that to date no dwellings have been completed.

CADES FARM, TAUNTON DEANE

- 10.23 The site was allocated for housing in the Taunton Deane Core Strategy (adopted September 2012) to deliver 900 units – policy SS4. The supporting text to the policy confirms that prior to the Core Strategy (in June 2010), the Council agreed that Interim sites of about 300 dwellings each at Nerrols and Cade should be released to help towards the shortfall in the 5 year supply of housing land in the Borough.
- 10.24 Outline planning permission was granted in July 2012, following the completion of the S106 agreement on 6 days earlier; the resolution to grant had been made by Members in March 2012, so the approval was 4 months in the making. Permission was granted for the first phase of development which comprised 300 dwellings and a local centre. The first Reserved Matters approval followed in March 2013, after being registered in November 2012, and related to the details for the first 80 dwellings.
- 10.25 No dwellings have been completed on site to date.

LAND OFF NERROLS DRIVE, PRIORSWOOD, TAUNTON DEANE

- 10.26 Land off Nerrols Drive, Priorswood was promoted through the SHLAA process by a consortium of owners, and the site was also identified through the urban extensions study process. The site was identified in 2010 as a strategic site in the emerging LDF, and was allocated in the Core Strategy in 2012 for the delivery of around 900 dwellings. Outline planning permission was granted in December 2012 for 630 dwellings, retail space and other mixed use development subject to a section 106 agreement relating to the provision of affordable housing, management of an adjacent country park, and a highway link.
- 10.27 To date no Reserved Matters applications have been submitted, meaning that no houses have been delivered since the site's first identification in the emerging LDF in 2010.

LONGFORTH PARK

- 10.28 In the early 1990's, the draft West Deane Local Plan identified land for the development of approximately 600 houses. This was carried through in the next Local Plan, and since then, the site has been allocated for the phased delivery of 900 homes as part of the Core Strategy (adopted 2012).
- 10.29 Prior to the adoption of the Core Strategy an Outline planning application had been submitted in October 2011 for the development of 503 residential units. The application received a resolution to grant permission in July 2012 and permission was granted in January 2013 following the completion of the S106 two days earlier; the S106 negotiations took 6 months.

- 10.30 The first Reserved Matters application was submitted two days after the grant of Outline planning permission and was subsequently approved in April 2013. Prior to development commencing, a proposed access junction from Taunton Road and the first section of the Northern relief road was required.
- 10.31 No units have been delivered on site to date; the first houses are expected in spring 2014, 3 years after the submission of the planning application and over 20 years since inception.

11. CASE STUDIES – ENGLAND - THE EAST

- 11.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing not all have been returned⁹. Completed proformas are included at **Appendix 9**.

ERMINE STREET, HUNTINGDONSHIRE

- 11.2 This site was brought forward in the Cambs & Peterborough Structure Plan (2003) as a strategic employment location and subsequently through (abandoned) RS for mixed use (2008). The site is now being considered in the emerging Local Plan for up to 5,000 dwellings.
- 11.3 The site is being twin tracked with an outline application due to be determined prior to the adoption of the Local Plan. There is a written agreement to complete s106 negotiations within 3 months of determination.
- 11.4 No houses have been delivered on site to date.

ORCHARD PARK, SOUTH CAMBRIDGESHIRE (FORMERLY KNOWN AS ARBURY PARK)

- 11.5 Orchard Park was included as a strategic urban extension in the Site Specifics DPD (adopted 2010) for the delivery of 990 homes (with potential for an additional 2000+ units). Prior to that the site had been allocated in the Local Plan (2004).
- 11.6 Outline planning permission was granted in 2005 (following the initial submission in 2001) for mixed use development including 900 homes. The application received a resolution to grant permission in 2003. The S106 related to the provision of a number of items, amongst other things, affordable housing, community facilities, off site drainage, transport and education.
- 11.7 The first Reserved Matters application was submitted in August 2005 for 6 affordable housing flats; but this application was refused in December 2005.
- 11.8 It wasn't until March 2006 (after being submitted to the Local Planning Authority in December 2005) that a Reserved Matters approval was granted for 61 units and it is understood that construction commenced on site on 2006. Prior to the Reserved Matters approval, a number of full applications

⁹ At the time of writing, responses were outstanding for the following sites: Holland Park, Spalding, Lincolnshire (2,250); Norwich Hospital, Norwich and Ravenswood, Ipswich;

were submitted to and approved by the Local Planning Authority relating to highways infrastructure and remediation works to a former bus depot site.

- 11.9 In the first year of construction, 81 dwellings were completed, and in the years following (up to September 2013) 852 units were constructed out of the total of 900 units.
- 11.10 Following a grant of planning permission in 2001, the site delivered its first homes 6 years later and in the 6 years since, has delivered 852 homes.

LOVES FARM, HUNTINGDONSHIRE

- 11.11 Following adoption of a development brief (October 2000), an Outline planning application was submitted in July 2001 for 1,250 units. Outline planning permission was issued in April 2006 after the Development Control Panel resolved to grant permission in May 2004. The S106 legal agreement required a pedestrian bridge to be built over a railway, and the construction of this commenced after construction of the houses had already started. It should be noted that the site was not allocated for residential development until the Huntingdonshire Local Plan Alteration was adopted in December 2002. A Section 73 Variation application was granted approval in December 2008 which varied the Outline approval to allow for the numbers of units to be increased to 1,352.
- 11.12 The first Reserved Matters approval followed in June 2006, 1 year and 6 months after it was submitted in January 2005 (this approval related to the primary infrastructure and strategic landscaping).
- 11.13 Construction of the first houses commenced in 2007, 7 years after adoption and 3 years after permission was granted. As at February 2013, it is understood that 1,261 dwellings had been completed on site.
- 11.14 It has taken 12 years from the point of Outline approval to delivering 1,250 units and the total number of units approved on site is yet to be realised 5 years after the S73 Variation application was approved.

CLAY FARM, TRUMPINGTON, CAMBRIDGE (KNOWN AS GREAT KNEIGHTON)

- 11.15 The site was allocated in the Cambridgeshire and Peterborough Structure Plan (2003) for the provision of housing (2,300 units with 40% affordable housing) and mixed use development on land to the east and south east of Trumpington. Following a review of the Green Belt and subsequent release from the Green Belt, the Cambridge Local Plan 2006 included a policy provision for the development of Clay Farm as part of the Southern Fringe Area of Major Change. In order to aid the delivery of the developments associated with Cambridge Southern Fringe, Cambridge City Council approved the Cambridge Southern Fringe Area Development Framework in January 2006.

- 11.16 Two Outline planning applications submitted in June 2007 for the development of up to 2,300 units and other mixed use development elements. Both applications were considered by the Joint Development Control Committee in May 2008, and they were both approved subject to the signing of a Section 106 legal agreement.
- 11.17 However, the details of the S106 could not be agreed, primarily relating to the level of provision of affordable housing, and an appeal was submitted on the grounds of non-determination in May 2009 on one of the applications (07/0621/OUT). The appeal was dismissed.
- 11.18 Following the appeal, the applicant agreed to the level of the affordable housing to be provided and the Section 106 was signed and the permission for 2,300 units and mixed use development was issued in August 2010. The first Reserved Matters application to be submitted related to infrastructure and landscaping, being submitted October 2010 and approved February 2011. The first Reserved Matters approval relating to housing units, was approved in July 2011 for 308 homes.
- 11.19 Development on the housing units started in 2012 with the first dwellings being occupied in May 2013 and the total number of dwellings being completed on site totalling 156.
- 11.20 It has taken 10 years for the first dwellings to be completed (and occupied) from when the site was initially allocated for housing in the Structure Plan in 2003.

TRUMPINGTON MEADOWS, CAMBRIDGE

- 11.21 The site was acknowledged as an area that could support housing (circa 1,200 units) through the Green Belt Review and Structure Plan allocation in (published 2003); the site was released from Green Belt to allow this and the site forms part of the Cambridge Southern Fringe Area of Major Change. The site straddles the boundary between Cambridge City Council and South Cambridgeshire District Council, and was allocated within both the Cambridge City Local Plan and South Cambridgeshire Local Plan. Since then it has been allocated in the South Cambridgeshire Site Allocations DPD in 2010.
- 11.22 Two Outline planning applications were submitted in December 2007 (one for each Local Planning Authority) area for the development of 600 housing units. The respective committees resolved to approve the applications in June 2008. The applications were approved in October 2009; it took 1 year and 8 months to complete the legal agreement following the resolution to approve the Outline applications.
- 11.23 The first Reserved Matters application was submitted in January 2011 relating to 163 homes which comprised Phase 1 of the development. Approval was granted in July 2011 6 months later. The first home was occupied in August 2012, almost 5 years after the submission of the planning application. And 10 years after allocation in the Structure Plan.

12. CASE STUDIES – ENGLAND - THE NORTH EAST

- 12.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 but at the time of writing only Newcastle Great Park has been returned¹⁰. Completed proformas will be included at **Appendix 10**.

NEWCASTLE GREAT PARK, NEWCASTLE

- 12.2 The Newcastle Great Park (formerly known as the Northern Development Area) site was firstly secured under an Option Agreement in the 1980's and a masterplan was approved in 1999, with the adoption of a Design Code by the Council in 2000. The masterplan covered the delivery of 2,500 units across six different cells – D to I. The site was allocated for development in the Unitary Development Plan (adopted 1998) and the submission of the Outline application followed in August 1998.
- 12.3 The Local Planning Authority was minded to approve the Outline application by the end of 1998 and the total sum of S106 monies was agreed by October 1998. The Secretary of State called the application in, in February 1999, and the development was formally allowed in June 2000 subject to a legal agreement.
- 12.4 The first Reserved Matters application related to major highways works, landscaping, earth works and drainage was approved in January 2001, with the first Reserved Matters application relating to housing units being validated in August 2001. Subsequently, Reserved Matters approval was granted for the initial 500 homes in March 2002. Development had commenced on site during 2001.
- 12.5 A new application was submitted in 2006 to vary conditions attached to the original outline, resulting in a new Outline planning permission and a new S106 being issued in 2010.
- 12.6 The site is being built out by a Consortium of house builders which includes Persimmon Homes, Taylor Wimpey, with some parts being developed by Barratts, and is due to be implemented in three phases comprising of 800, 800 and 900 houses in accordance with UDP Policy H1.2.
- 12.7 It should be noted that Policy NDA6 stated that the development of open market houses shall proceed at a maximum rate of 250 units to be completed per year, but it is understood that delivery rates have never reached this limit.
- 12.8 The first 4 houses were delivered in 2001, and in the first year 38 houses had been completed. In subsequent years 1,392 of the total 2,500 homes have been completed; some 55% of the development has been delivered in the 14 years since the first masterplan was approved in 1999.

¹⁰ At the time of writing, responses were outstanding for the following sites: Cramlington, Northumberland; Killingworth, North Tyneside; and Wynyard, Stockton.

13. CASE STUDIES – WALES

- 13.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing both Croes Atti and Former Brymbo Steelworks have been completed. Completed proformas are included at **Appendix 11**.

CROES ATTI, FLINTSHIRE

- 13.2 The site was originally allocated for housing in the North Flintshire Local Plan for 477 units in 1998 and a Development Brief was produced in 1999; the allocation for housing was carried forward from the Local Plan into the Flintshire Unitary Development Plan which was adopted in September 2011.
- 13.3 An Outline application was originally reported to the planning committee in December 1999, and this was approved subject to a Section 106 legal agreement, however due to the applicant's changes in circumstances, no decision was issued. Subsequent to this another Outline application was submitted in April 2003 for mixed use development (including housing) and this was resolved to be approved by the planning committee in July 2004. Planning permission was finally granted in July 2006 for the development of 600 dwellings over the plan period; 3 years and 3 months after the submission of the application and 7 years after the initial application. The S106 legal agreement related to issues of landscaping, public highway provision (including a distributor road) and phasing.
- 13.4 The first Reserved Matters application was submitted in September 2007; being approved in July 2008, and planning permission was granted for the highway improvement works prior to that in April 2008.
- 13.5 Following the grant of Outline permission and approval of the first of the Reserved Matters applications, the appellants sought to vary one of the conditions to extend the time period to submit all of the Reserved Matters applications from 5 to 7 years. The applicant submitted an appeal against non-determination of this application in March 2012, and the variation was allowed on appeal in October 2012.
- 13.6 Infrastructure works commenced on site in January 2013, with the first home expected to be available for occupation in March 2014. No dwellings have therefore been completed in the 15 years since the site was first allocated for housing in the Local Plan in 1998.

FORMER BRYMBO STEELWORKS,

- 13.7 The Unitary Development Plan (2005) allocates the site as a key priority for regeneration. Brymbo Developments Ltd took control of the land and an Outline planning application for mixed use and residential was granted planning permission in November 1997 subject to a Section 106 agreement relating to contamination, groundwater and the establishment of a Liaison Committee.
- 13.8 A number of applications followed the original one to seek to extend the time period to submit Reserved Matters applications. The original Outline permission comprised 300 dwellings, but this was increased to 469 units following a Reserved Matters approval in 2005. Reserved Matters approval followed in August 2010 for the north spine road, but further development on the site has been complicated by the lack of development on this spine road.
- 13.9 A further outline application was submitted in 2005 for the development of another parcel of land within the masterplan area and this was resolved to be granted permission (as enabling development) subject to a Section 106 agreement. The Section 106 was never signed (due to finances as the Council required the spine road to be constructed before any other development commenced) and the application was refused in December 2010. It was also dismissed at appeal in November 2011.
- 13.10 Following the initial Outline approval in 1997, the original approved 300 units has been increased to circa 700 units in total.
- 13.11 Development of the housing units commenced on site in 2005/2006, following initial reclamation work in October 2003, with the first dwellings being completed in 2007 – 10 years after the approval of the initial Outline masterplan. To date, 511 dwellings have been completed and any further development will be subject to the agreed delivery of the spine road which will unlock other parts of the overall site.

14. CASE STUDIES – SCOTLAND

- 14.1 In conducting this study, we have contacted the relevant local authorities to request the relevant information. Copies of a site specific proforma were circulated for completion during the period June to August 2013 and at the time of writing not all have been returned¹¹. Completed proformas are included at **Appendix 12**.

KNOCKROON, CUMNOCK

- 14.2 Starting in 2007, this site was brought forward for development as a model settlement (maximum 770 houses) through the emerging development plan by a consortium headed by HRH Prince Charles. The Local Plan (2010) now aims to deliver 1,000 dwellings across the Plan period.
- 14.3 S75 matters took 11 months to resolve leading to a grant of planning permission in November 2010. Following the approval of reserved matters, the first phase of 87 homes started in 2012. A total of 20 houses have been delivered to date in the 5 years since inception.

SHAWFAIR, MIDLOTHIAN

- 14.4 This site was first put forward for the development of 4,000 dwellings in 1994, eventually being carried forward into the Midlothian Structure Plan (1997) and allocated in the Midlothian Local Plan in 2003.
- 14.5 An outline planning application was submitted in 2002 and has been minded to approve since 2005 with no resolution of s75 matters to date.
- 14.6 The site has yet to deliver dwellings over 15 years since its allocation.

GARTCOSH, NORTH LANARKSHIRE

- 14.7 The site was included in the Glasgow and Clyde Valley Joint Structure Plan (2006), initially for 1,500 dwellings which was subsequently reduced to 900 in the North Lanarkshire Local Plan (September 2012) due to adverse ground conditions.
- 14.8 No planning applications have been submitted to date and the Council would want prepare a strategic development framework prior to applications being considered.
- 14.9 The site has yet to deliver dwellings, 7 years since its inclusion in the Structure Plan.

HOPEFIELD, MIDLOTHIAN.

11 At the time of writing, responses were outstanding for the following sites: Bishopton, Renfrewshire; Armadale, West Lothian; and Overton, Aberdeen.

- 14.10 This site was included in the 1994 Lothian Structure Plan and promoted through a design brief (for 1,100 dwellings) which was allocated in the Local Plan (2003).
- 14.11 An outline planning application was submitted in January 2001 with permission granted in August 2003 following the resolution of s75 matters (off-site highways). An application for Full planning Permission for Phase one was granted in July 2004 (7 months to determine) whilst the first reserved matters application was approved in December 2006 (17 months to determine).
- 14.12 The first dwellings were delivered in 2007 with 70 dwellings completed that year. To date 750 dwellings have been delivered on site since its initial inception in 1994 and some 12 years since the submission of the original outline planning application.

SOUTH CUMBERNAULD, NORTH LANARKSHIRE

- 14.13 This site was initially included in the Glasgow & Clyde Valley Structure plan (2006), subsequently being allocated in the North Lanarkshire Local Plan (2012).
- 14.14 No planning applications have been submitted to date and the Council would want prepare a strategic development framework prior to applications being considered. The site has yet to deliver dwellings, 7 years since its inclusion in the Structure Plan.

RAVENSCRAIG, NORTH LANARKSHIRE

- 14.15 This site, the home of a former steelworks, was brought forward through the submission of an Outline Planning Application for 3,500 dwellings. The application was submitted in 2001 and received a resolution to grant in 2003 though permission was not granted until May 2005 following a Court of Session case into s75 matters.
- 14.16 The first reserved matters application was submitted 2 years later, taking a further year to determine. Development began on-site on 2007 with the first houses delivered in 2010. There is 1 developer on site who, since 2010 has completed 55, 20 and 41 dwellings in successive years.
- 14.17 Since the initial outline planning application, the site took 9 years to deliver dwellings.

SOUTH EAST AYR, SOUTH AYRSHIRE

- 14.18 This site was identified for 2,700 dwellings through the development plan process and formally allocated in the South Ayrshire Local Plan in April 2007. A planning application was submitted in December 2007 and in July 2009 planning permission was granted subject to a s.75 agreement, which is yet to be completed approaching 4 years later. Three land owners control the site: LxB, Lynch Homes and the Council, which has delayed matters.
- 14.19 Over 6 years since allocation, the site has yet to deliver any homes,

HEARTLANDS, POLKEMMET, WEST LoTHIAN

- 14.20 This former open cast mine and colliery site was promoted though, and allocated in, the West Lothian Local Plan (January 2009) for up to 5,000 dwellings.
- 14.21 From submission of an in principle application in 2002, determination took 1 year (2003) with a further 3 years (2006) required to issue permission due to complexities relating to the s.75 agreement. Two years later (2008) the first matters specified in conditions applications, relating to site infrastructure, were submitted with first residential applications made in 2010 (by Taylor Wimpey) and 2013 (by Bellway). The site requires £120 million of investment to provide services plots with return expected after 18 years.
- 14.22 11 years since the submission of the in principle planning application, the site has yet to deliver a single dwelling.

WESTER INCH, WEST LoTHIAN

- 14.23 This site, a former industrial area was promoted and allocated in the Local Plan (January 2009) for up to 2,000 dwellings following the failure of speculative applications for retail/leisure uses. The in principle application was made in 2001 being issued in 2003. The first matters specified in condition application was made in 2002, relating to infrastructure; the first residential application was made in 2003. The infrastructure application took 4 months to approve.
- 14.24 The Council is unable to provide information on when work commenced on site or when the first homes were delivered and our independent research has failed to unearth any information on these matters. The council has provided information on projected completions which range from 83 to 150 dwellings per annum.

WINCHBURGH, WEST LoTHIAN

- 14.25 This site was allocated in the Local Plan (January 2009) following developer-led promotion over a period of 10 years. An in principle application followed in 2005 with a resolution to grant made by committee five years later in 2010. Permission was granted in 2012.
- 14.26 The first matters of detail applications were made in 2013, a year after in principle permission was granted.
- 14.27 The Council forecast the delivery of the first plots (30no.) in 2014.
- 14.28 18 years since inception and 8 years since the submission of the in principle application, the site has yet to deliver a single dwelling.

WOODILEE LENZIE, EAST DUMBARTONSHIRE

- 14.29 This site has a history of refused residential planning applications dating back to 1988 and was eventually released for residential development in the 1990 structure plan. Following the hospital closure in 2000 (announced in 1994) the Woodilee Developers consortium received a resolution to grant in principle permission for 900 dwellings in 2005, which was issued in March 2007 subject to conditions and a s.75 agreement. Permission requires the completion of the Kirkintilloch link road prior to the completion of 470 homes. The link road opened in 2010 with a consortium contribution of £30 million.
- 14.30 The first houses were delivered in 2011, some 21 years since allocation and four years after in principle approval was given. During 2012-2013, the four developers on site delivered 120 homes (an average of 30 per developer).

CALDERWOOD, WEST LoTHIAN

- 14.31 This was a developer led brought into the Local Plan upon adoption in January 2009 for a total of 2,800 homes (2,300 Calderwood; 500 Raw Holdings). The in principle application was made in 2009, resolved to grant in 2011 and granted in 2013 (four years in total).
- 14.32 The first matters of detail application was made in 2010 before in principle approval was issued, with approval of matters given upon grant of the in principle approval.
- 14.33 The site is being brought forward by a consortium of developers. Since allocation in the Local Plan in 2009, submission of the in principle application in 2009 and its determination in 2013, no houses have been delivered.

15. ANALYSIS

INTRODUCTION

- 15.1 It is not the intention of this report to set out hard and fast rules that can be applied to delivery of new homes. The delivery of homes on strategic sites is fraught with difficulty, and subject to many variables but what is clear, based upon the preceding case studies, is that there is significant delay associated with the completion of homes on these sites. These can impact upon all stages of a site's evolution, namely Concept to Allocation, Allocation to Permission and Permission to Delivery. Some sites have failed to deliver any dwellings since their inception or allocation and of those that have provided homes, none have provided them at the rates or in the timeframe anticipated.
- 15.2 Each of these separate stages is inter-related and whilst some sites might go through each stage, others may not. In this chapter we look at the barriers to speedy development and consider the likely timescales, on average, one can expect from inception to delivery and the likely delivery rates.
- 15.3 For clarification, the likely timescales set out in the following paragraphs are based on the figures taken from a cross section of sites - the likely timescales therefore represent a portion of the total sites reviewed. Where the information source was robust and the details were provided by the relevant planning authority, the timescales have been shown.
- 15.4 Based upon the case studies, the main barriers to delivery relate to the determination of applications, mainly where a Plan allocation is not in place or the delivery of off-site works (usually highways) is required and, perhaps most significantly, the finalisation of s106/s75 agreements and other legal agreements.
- 15.5 Importantly, of all the case study proformas received in response to the study requests, none of the sites have been completed and all are yet to deliver the housing numbers originally forecast for the site in the timeframe originally forecast.

CONCEPT

- 15.6 The most difficult element of this study has been the attempt to quantify the time from the original idea for a site being proposed to its eventual allocation. This is due to the fact that many sites pre-date current records and the information is not available. However, from those sites where this information is available, what is clear is that the process from site inception to inclusion within a Plan takes several years:
- Hungate, York – over **15 years** from initial concept to the production of a Development Brief.
 - Upton, Northampton – **24 years** from concept to allocation in the Northampton Local Plan (1997).
 - Rushmoor, Aldershot – **10 years** from identification to adoption in the Core Strategy (2011).

- Shawfair, Midlothian – **3 Years** from identification to adoption in the Structure Plan (1997).
- Staynor Hall, Selby – **8 years** from allocation in Deposit Draft Selby District Local Plan (1995) to completion of Development Brief.
- Metcalfe Lane, Osbaldwick – **8 years** from allocation in the Ryedale Local Plan (1994) to production of Development Brief.
- Lightmoor Village, Telford & Wrekin – **7 years** from publication of masterplan (created in mid-1990's) to outline approval of new masterplan 2002.
- Cotgrave Colliery – **15 years** from allocation in Local Plan (1996) to approval of outline permission in March 2011.
- Middlemore, Daventry – **2 years** from allocation in Local Plan (1997) to approval of outline planning permission in 1999.
- West of Waterlooville, Hampshire (Grainger) – **8 years** from allocation in Hampshire County Structure Plan Review (2000) to approval of outline planning permission in 2008.
- West of Waterlooville, Hampshire (Taylor Wimpey) – **7 years** from allocation in Hampshire County Structure Plan Review (2000) to approval of outline planning permission in 2007.
- Queen Elizabeth Park, Guildford – **2 years** from Design Brief (1999) to outline planning permission in October 2001.
- NE Carterton, West Oxfordshire – **6 years** from allocation in Oxfordshire Structure Plan (1992) to outline planning permission in 1998.

15.7 It is not unreasonable to expect that similar lead in times apply to all the sites considered in this study, which on average could be as much as between 8 to 10 years.

OBTAINING PLANNING PERMISSION

15.8 This study has found that the time taken to determine planning applications is a major factor in the overall delivery timescales for Major Residential Development sites. Indeed, many sites do not benefit from planning permission.

OUTLINE PLANNING PERMISSION

15.9 Many of the sites considered in England were initially brought forward through the Local Plan with planning applications following some years later. The average time period from the initial concept to the grant of planning permission for sites in England is 6.67 years.

15.10 The sites located in Scotland were more commonly initiated through planning applications, with many of those applications remaining pending until such a time as the development plan could formally adopt an allocation. It is clear that although the planning applications for a number of the

Scottish sites preceded the policy allocation, this had little positive impact upon the timescales for the delivery nor the granting of planning permission. The average time period from the initial concept to the grant of planning permission for the Scottish sites show a slight improvement at 5.36 years.

15.11 Of those sites that benefit from planning permission, the overall average across all of the returned site proformas is approximately 6 years from concept to the grant of planning permission.

15.12 Turning to the time taken to consider applications for outline planning permission, from the evidence received, none of applications were approved in under 12 months (apart from the development at Poundbury which took 6 months). Examples are provided below;

- Monksmoor Farm, Daventry – submitted July 2007, granted April 2010 – **33 months**.
- Priors Hall, Corby – submitted 2004, granted March 2007 – **36 months**.
- Belsteads Farm, Chelmsford – submitted Jan 2011, granted June 2013 – **29 months**.
- University Campus, Chelmsford – submitted 2011, granted November 2012 – **12 months**.
- Broughton Gate/Brooklands, Milton Keynes – submitted June 2004, granted July 2005 – **13 months**.
- Fairfield Area 11/Fairfield 10.1-10.3, Milton Keynes – submitted 2005, granted 2007 – **24 months**.
- Monkton Heathfield, Taunton Deane – submitted 2005, granted on appeal in 2007 – **24 months**.
- Hopfield, Midlothian – submitted January 2001, granted August 2003 – **31 months**.
- Ravenscraig, North Lanarkshire – submitted 2001, granted May 2005 – **48 months**.
- Heartlands, Polkemmet, West Lothian – submitted 2002, granted 2006 – **48 months**.
- Wester Inch, West Lothian – submitted 2001, granted 2003 – **24 months**.
- Winchburgh, West Lothian – submitted 2005, granted 2012 – **84 months**.
- Calderwood, West Lothian – submitted 2009, granted 2013 – **48 months**.
- Sharp Lane, Leeds – submitted 2001, granted 2005 – **48 months**.
- Lawley Village, Telford & Wrekin – submitted 2004, granted 2005 – **12 months**.
- Branston, East Staffordshire – submitted 2011, granted 2013 – **24 months**.
- Farndon Road, Harborough – submitted 2001, granted 2006 – **60 months**.
- Melton Road, Rushcliffe – submitted April 2008, granted July 2009 – **15 months**.

- Poplar Farm, South Kesteven – submitted 2009, granted 2011 – **24 months**.
- Wellingborough North, Wellingborough – submitted 2008, granted 2010 – **24 months**.
- East Kettering, Kettering – submitted 2007, granted 2010 – **36 months**.
- Lubbersthorpe, Blaby – submitted 2011, granted 2014 – **36 months**.
- Horley North East Sector, Reigate and Banstead – submitted 2004, granted 2006 – **24 months**.
- Berryfields, Aylesbury – submitted 2003, granted 2007 – **48 months**.
- Pondholton Farm, Braintree – submitted 1991, granted 2000 – **108 months**.
- Didcot West, South Oxfordshire – submitted 2002, granted 2008 – **72 months**.
- Kings Gate, Amesbury – submitted 2012, granted 2013 – **12 months**.
- Lyde Road, South Somerset – submitted 2006, granted 2008 – **24 months**.
- Cades Farm, Taunton Deane – submitted 2010, granted 2012 – **24 months**.
- Land off Nerrols Drive, Priorswood, Taunton Deane – submitted 2010, granted 2012 – **24 months**.
- Longforth Park, Taunton Deane – submitted 2011, granted 2013 – **24 months**.
- Newcastle Great Park, Newcastle – submitted 1998, granted 2000 – **24 months**.

15.13 On the basis of this cross-section, **the average timescale from submission to a grant of outline planning permission is 34 months** (time periods for determination as provided by the relevant Authority).

LEGAL AGREEMENTS

15.14 A significant element in the consideration of timescales relating to the delivery of major residential development sites has been the legal agreements attached to the planning permission, indeed planning obligations and other legal agreements have prevented many of the sites from progressing at all.

15.15 In the proformas returned for sites in England, the following cross-section are awaiting the completion of s106 agreements following a resolution to grant planning permission:

- Rushmoor (Aldershot) granted a resolution to approve July 2013 – **4 months**.
- Beaulieu Park (Chelmsford) granted a resolution to approve November 2012 – **24 months**.
- North Colchester, Colchester granted a resolution to approve September 2013 – **2 months**.

- Witney (Northbridge), West Oxfordshire granted a resolution to approve March 2013 – **8 months**.
- North of Bronham Road, Bedford granted a resolution to approve 2003 – **120 months**.
- Ladygrove East, South Oxfordshire granted a resolution to approve 2006 – **96 months**.
- Weldon Park, Corby granted a resolution to approve 2010 – **48 months**.

15.16 The delay associated with such agreements is similar when looking at the proformas returned from Scottish Authorities where two permissions are pending s75 agreements:

- Shawfair, Midlothian granted a resolution to approve in 2005 – **96 months**.
- South East Ayr, South Ayrshire granted a resolution to approve in 2009 – **48 months**.

15.17 The above sites relate to those permissions which remain outstanding whilst planning obligations are negotiated. There are however, further examples of sites where decisions have been issued, where Local Authorities have provided information on s106/s75 matters, which serve to provide an indication of the timescales for s106/s75 negotiations after a resolution to grant has been issued;

- Great Denham (Bedford) gained a resolution in September 2005, decision issued March 2007 on the signing of s106 – **18 months**.
- West of Kempston (Bedford) gained a resolution in 2005, decision issued in 2007 on the signing of s106 – **24 months**.
- North East Bridgewater gained a resolution in September 2009, decision issued in July 2010 on the signing of s106. – **10 months**.
- Cranbrook (East Devon) gained a resolution in 2005, decision issued in 2010 on the signing of s106 – **60 months**.
- Knockroon (Cumnock) gained a resolution in December 2011, decision issued in November 2012 on the signing of s75 – **11 months**.
- Ravenscraig (North Lanarkshire) gained a resolution in 2003, decision issued May 2005 on the signing of s75 – **24 months**.
- Heartlands, Polkemmet (West Lothian) – gained resolution in 2003, decision issued 2006 on the signing of s75 – **36 months**.
- Winchburgh (West Lothian) – gained resolution in 2010, decision issued 2012 on the signing of s75 – **24 months**.
- Woodilee Lenzie (East Dumbartonshire) – gained resolution in 2005, decision issued March 2007 on the signing of s75 – **24 months**.

- Calderwood (West Lothian) – gained resolution in 2011, decision issued 2013 on the signing of s75 – **24 months**.
- Cortonwood Colliery, Rotherham – gained resolution in 1991, decision issued May 1995 on the signing of s106 – **48 months**.
- Carr Lodge, Doncaster – gained resolution in 2011, decision issued 2012 on the signing of s106 – **12 months**.
- Picket Twenty, Test Valley – gained resolution in 2006, decision issued Jan 2008 on the signing of s106 – **24 months**.
- Weedon Hill, Aylesbury – gained resolution in 2003, decision issued 2004 on the signing of s106 – **12 months**.
- Thorne Lane, South Somerset – gained resolution in August 2006, decision issued 2007 on the signing of s106 – **12 months**.
- Orchard Park, South Cambridgeshire – gained resolution in 2003, decision issued 2005 on the signing of s106 – **24 months**.
- Loves Farm, Huntingdonshire – gained resolution in 2004, decision issued 2006 on the signing of s106 – **24 months**.
- Clay Farm, Trumpington – gained resolution in 2008, decision issued 2010 on signing of s106 – **24 months**.
- Trumpington Meadows, Cambridge – gained resolution in 2008, decision issued 2009 on signing of s106 – **12 months**.
- Croes Atti, Flintshire – gained resolution in 2004, decision issued 2006 on signing of s106 – **24 months**.

15.18 The average across those summarised above sites which have extant permission in outline and where the details of timescales between the Council resolving to grant permission and the decision being issued are available (where the time period for legal agreements to be made has been provided to us by the Authority) is **23.6 months**.

15.19 Importantly, it should be noted, however, that many sites have failed to progress beyond a resolution to grant due to unresolved legal matters.

RESERVED MATTERS

15.20 Based on our findings, reserved matters applications are generally dealt with within **6 to 9 months**.

DELIVERY RATES

- 15.21 From analysis of those proformas received that include information on completed dwellings and from subsequent discussions with the relevant developers (including Taylor Wimpey, Barratt, David Wilson Homes, Bellway and Redrow), an **average annual delivery rate of 30 - 35 dwellings per annum** per single house builder is realistically achievable.

OFF SITE INFRASTRUCTURE

- 15.22 The provision of off-site infrastructure is a major hindrance to the delivery of houses from urban extensions. Many of the sites reviewed have not progressed (or have taken many years to progress) due to the impact the requirement to provide off-site infrastructure work has on scheme viability.

INDICATIVE DELIVERY TRAJECTORY

- 15.23 This information is instructive when considering delivery trajectories.
- 15.24 Based upon the foregoing, our position in relation to likely delivery timescales is presented in the Indicative Delivery Trajectory overleaf, which illustrates the significant lead-in time associated with urban extensions¹².

¹² Owing to the lack of information relating to the time taken from inception to allocation, the trajectory begins with the preparation and submission of an outline planning application and concludes with the delivery of the first homes.

Table 1: Indicative Urban Extension Development Trajectory

[illegible]

SUMMARY

- 15.25 Based upon the foregoing analysis of the results received from Local Authorities, it is reasonable to suggest that the delivery of houses from urban extensions takes approximately **9 years**. Whilst there are instances of speedier delivery, these are in the minority whereas there are many more examples of sites that take far longer to deliver houses, with many yet to deliver any houses at all.

16. CONCLUSIONS

- 16.1 The purpose of this Study is not to evaluate the merits or otherwise of urban extensions; the authors and sponsors recognise the inherent benefits that such schemes can deliver for local communities.
- 16.2 This Study is an exercise in considering deliverability, the factors which affect deliverability, the timescales involved from a site being identified for development to planning permission being granted and thereafter the rates at which housing can realistically be delivered on major urban extension sites of 500+ dwellings.
- 16.3 This Study has been commissioned by Gladman Developments Limited (GDL) and carried out by Hourigan Connolly.
- 16.4 The Study will also be made available to LPAs, government departments and agencies and industry bodies as an evidence based tool which can be drawn upon to inform Development Plans across the UK. The Study will also be a useful tool in benchmarking assumptions for the delivery of housing on sites which already have planning permission and is likely to be useful in cases where there is a dispute over the extent to which such sites might deliver housing over a given period
- 16.5 Clearly the delivery of urban extensions is problematic and the timescales associated with the delivery of houses on such sites are significant. The major impacts on timescales derive from the time taken to promote urban extensions through the plan making process, the time taken to prepare, submit and consider planning applications and the associated legal agreements relation to planning obligations, land ownership issues and off-site requirements.
- 16.6 Based upon our research, which is rooted in factual evidence provided by Local Authorities across England and Scotland, an 8 year period should be allowed for from the preparation of an outline/in principle planning application to the delivery of homes.

Hourigan Connolly

February 2014

APPENDIX F

Urban Extensions – An Assessment of Delivery Rates

Savills

Urban Extensions

Assessment of Delivery Rates

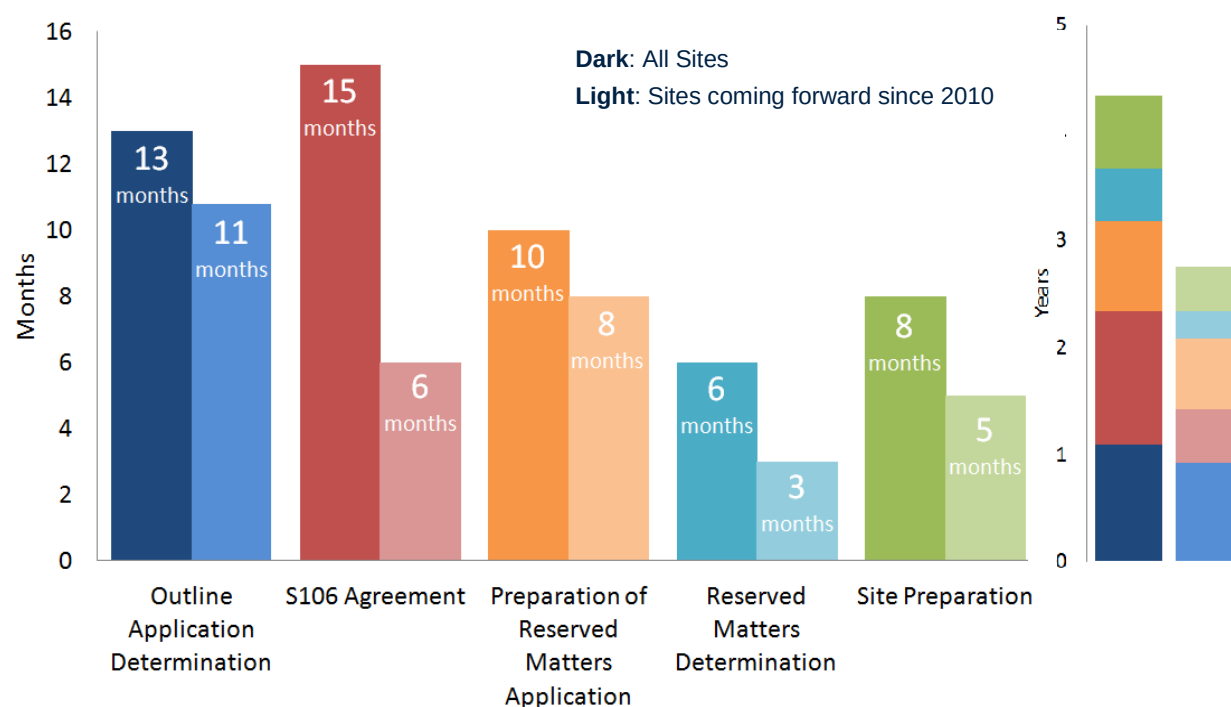
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1. Summary and Conclusions

This report assesses the pace of delivery of large scale development in order to establish how these sites contribute to five year housing land supply and the implementation of development plans. It considers firstly how long it takes for an urban extension to progress through the planning system, and once construction has started, the rate at which new housing units are delivered.

The report tracks the progress of 84 urban extensions through the planning system over the last 25 years. On average across all sites analysed, an urban extension site starts construction on **the first phase of housing more than four years after the submission of an outline application**. There are however many exceptions to this timescale. Whilst it is **not unusual for sites to take much longer**, in recent years urban extension sites have tended to progress more quickly. Considering only sites coming forward **since 2010**, the average time taken to start on **site drops to under three years after the submission of an outline application**.



Nevertheless, there are clearly significant risks of longer timeframes on these large complex sites. Delays can occur at any stage of the process, and can be due to many factors such as problems with funding, infrastructure requirements or local objections. However, the individual nature of these sites means it is difficult to identify absolute trends.

Some urban extensions have progressed through the planning process **more quickly in established growth areas**, suggesting that the appetite of the local authority for development and the resource available for progressing major planning applications plays a crucial role. Analysis of the sites in the sample indicates that, once construction starts and in a strong market, annual delivery can be anticipated to be around **60 units in first year of construction, picking up to more than 100 units per annum in subsequent years and increasing to around 120 units**. The build out rate of each site will depend on the disposal strategy of each developer, but the presence of multiple developers on site helps to drive higher annual completion

Urban Extensions

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rates. We are aware of many urban extensions in the south of England where recent delivery rates have been substantially in excess of 120 units per annum.

It should be noted that the above timescales do not take into account:

- a) Time taken between the allocation of the site and starting preparation of the planning application
- b) Pre application discussions/negotiations and preparation of the outline planning application
- c) The period between starting construction and delivering the first residential unit.

This study has not provided evidence in relation to these time periods. **Whilst previous research estimated b) and c) at 2.5 years, it is also the case that outline applications can be made very soon after allocation**, where local planning authorities and a developer are working together to bring forward sites, allowing processes to run in parallel.

In simple terms the data reviewed for the study points to the following indicative timescales.

	All sites	Post 2010 sites
Not reviewed in this study		
Allocation to first completions (years) ¹	6.8	Data not available
Allocation to start on site (years) ¹	5.3	
Reviewed in this study		
Outline application to start on site (years)	4.3	2.8
Build rate first year (homes per annum)	65	Not analysed separately
Build rate after first year (homes per annum) ²	110	

(1) According to earlier study by Hourigan Connelly for Gladman Developments.

(2) This rose to 120 per annum in 2013. Observed build rates in the south of England can be significantly higher.

The study indicates that, whilst many urban extensions have taken longer than four years to progress from outline application to a start on site, it appears that these timeframes have compressed more recently, to less than three years on average. This suggests that, if pre-application timeframes can be accelerated, it has become more likely that these sites can start to deliver housing within the lifetime of a five year housing land supply plan.

2. Introduction

Barratt Homes are seeking to understand the pace of delivery of large scale development in order to establish how these sites contribute to five year housing land supply and the implementation of development plans. This report will be used as evidence for planning applications and Development Plan submissions.

The report references a study by Hourigan Connolly on behalf of Gladman Developments Limited, *A Report into the Delivery of Urban Extensions*, published in February 2014, to provide case studies of sites of over 500 units that have been brought forward in the last 25 years. These case studies have been analysed to determine the timescales involved for these sites to progress through the planning system and start on site, and thereafter the rate at which housing units are delivered.

2.1. Methodology

The Gladman study was supported by evidence provided by local authorities on 78 sites via a site specific proforma. We have updated the study by reviewing recent planning activity recorded by Glenigan, adding in a further six sites for which an application has been made since 2010. All sites in the sample are urban extensions, predominantly on greenfield land. For the most part, the responses did not include sites on previously developed land which may require extensive remediation before houses are completed, new settlements which may require significant infrastructure work, or sites which have received government funding.

The regional spread of the sites is as follows:

Region	Number of Sites
South East	27
South West	12
East of England	6
East Midlands	14
West Midlands	5
Yorkshire and Humber	6
North East	1
Scotland	11
Wales	2

Of the sites in the sample, 64% are under construction, 6% have been built out, and 30% are yet to commence on site.

This data has been analysed in two stages. Firstly, we have examined how long it takes for a site to progress through each stage of the planning system, from the submission of an outline application to beginning construction of the first housing units, and sought to establish whether the size or location of the site influences this process.

The second part of the study examines the rate of delivery of units once construction has started, assesses how many units are deliverable from these sites per annum, and investigates the relationship between delivery and housing market strength.

3. The Planning Process

To establish the length of time for a site to progress through planning, we have broken down the process into 5 stages: submission of outline application to resolution to grant, negotiation of section 106 leading to the grant of outline permission, preparation of first reserved matters application, consideration of reserved matters application, and discharging the pre commencement conditions prior to the start on the first housing units. This study does not account for time spent on pre application discussions.

We have used the dates provided for each stage in the site proforma, supplemented by data from Glenigan Planning Database and local authority planning archives to establish when applications were submitted and determined for each site, and calculated the time period between each month. Taking the median time period for each stage indicates that **commencement on the first phase of housing delivery is likely to be in the fifth year following the submission of the outline application**. This is shorter timescale than the seven years detailed in the Gladman report, which accounts for additional stages, such as the preparation of the outline application (1 year) and the period between starting on site and delivering the first residential units (1.5 years). We do not have data covering these stages so have relied on the elapsed times of the schemes in question.

Table 1 – Median time taken from submission of outline application to start on site

	Year 1				Year 2				Year 3				Year 4				Year 5
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
Outline Application Consideration																	
Section 106 Negotiations																	
Preparation of 1 st Reserved Matters Application																	
Reserved Matters Consideration																	
Site Preparation including discharging pre commencement conditions																	
Start on Site (Housing)																	

Source: Savills using data from Gladman, Hourigan Connolly, Glenigan and local authorities

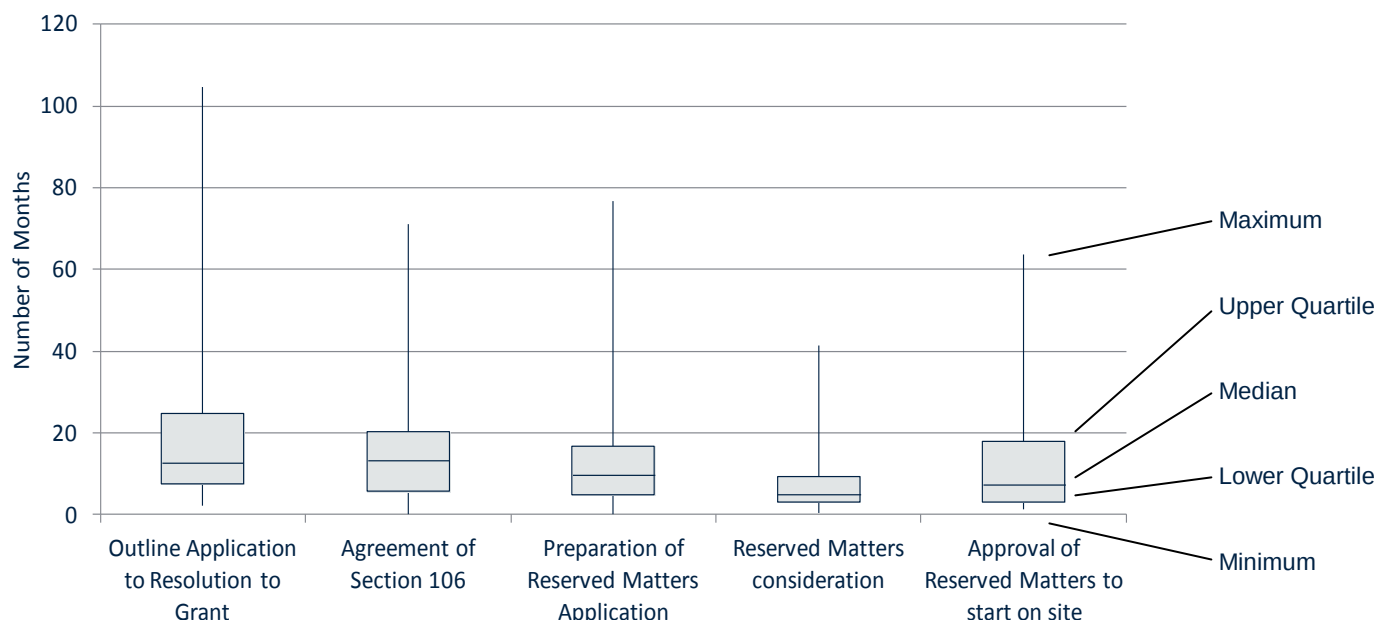
Urban Extensions

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Within the sample however, there are significant variations from this timescale. Figure 1 shows the maximum, minimum, median and lower and upper quartiles of the time taken to progress through each stage.

Figure 1 – Range of timescales for urban extensions to pass through planning process



Source: Gladman & Hourigan Connolly

There are outliers over long time periods at each stage of the process, which highlights the complexity of bringing this type of site forward. The **median time for a site to gain a resolution to grant permission is just over one year**, but the sample also includes eight sites which took over 3 years to reach the same stage. Within each category there are also sites which are yet to reach the end of that stage. Among these sites are Bronham Road in Bedford, Ladygrove East in South Oxfordshire and Shawfair in Midlothian. All these sites are at the Agreement of Section 106 stage, having gained a resolution to grant in 2003, 2005 and 2006 respectively. The amount of time taken to agree the Section 106 or Section 75 agreement on these sites has already far exceeded the current maximum in the sample of 71 months, likely due to the changing housing market affecting viability following the economic downturn in 2008.

Each site has unique circumstances that may hamper its progress, from local opposition, statutory challenges, a call in for determination by central government, to the strength of local housing market. This can be simply due to the complexity of the application, as the size of these schemes often means there are multiple development partners involved. At Cranbrook in Devon, the Section 106 took over 64 months to agree, well above the median time of 14 months, as multi-agency agreements and clawback clauses, combined with difficult market conditions caused significant delay. Initial delays can also result in further complications; Outline Permission was granted in 1991 for the 660 unit site at Branston, East Staffordshire, and although several reserved matters applications were approved between 1994 and 2004, only 50 units were ever built. The site was sold in 2010, and rather than continue to submit reserved matters applications for the 1991 permission, the new developer instead submitted a revised outline application to reflect the changed housing market conditions in October 2011. The new application has progressed much more quickly, gaining Outline Permission in 2013.

3.1. Infrastructure Requirements

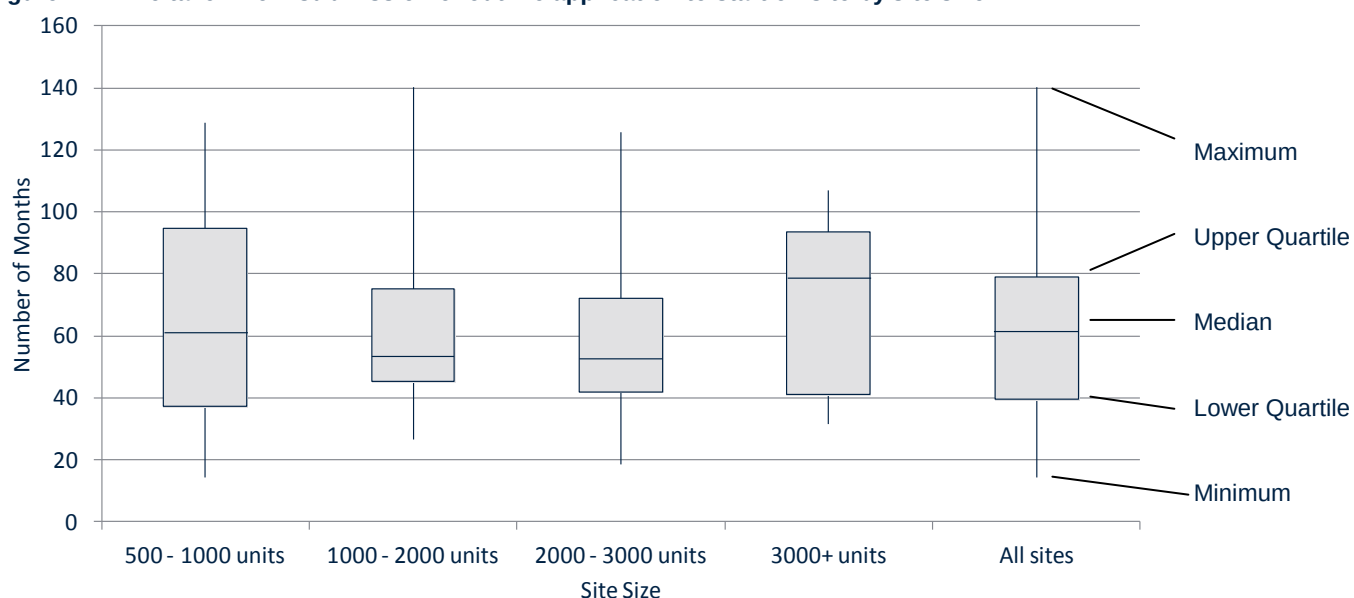
A recurring hindrance to quick progress is the provision of infrastructure. This tends to slow down the delivery of urban extensions at two key points, firstly in agreeing the Section 106, and secondly between approval of reserved matters and starting on the first housing units. It took three years for the Section 106 for the 1,284 unit site at Sharp Lane, Leeds to be agreed, as it was complicated by requirement for off-site highway works.

The timing of the infrastructure works is also key. Where is it planned to be delivered in line with the phasing of housing delivery, the potential for problems is limited. At Hunts Grove, Gloucester, major off-site works have been scheduled in line with delivery of later phases, allowing construction to start on housing four years after the submission of the outline application, and the site to deliver 400 units since construction started in 2010. However, if the infrastructure works are not phased alongside the housing delivery, it can pose problems; the site at Melton Road, Rushcliffe made smooth progress through the planning system. The outline permission was granted a year after submission, and approval of the first reserved matters application followed 18 months later. Three years later however, construction is yet to start on site as major off site infrastructure is still required. Similarly, the North Colchester urban extension gained a resolution to grant subject to the agreement of the Section 106 in September 2013, but improvements to the Northern Access road are required before development can get underway and consequently timescales for the submission of reserved matters and subsequent delivery of housing is undetermined at present.

3.2. Site Size

There is little correlation between the size of the urban extension and how long it takes to progress through the planning process. **The median for 3000+ unit sites is slightly higher at 79 months compared to 50 – 60 months for the other size bands.** However, the maximum time taken for the 3000+ unit sites is lower than the maximum in all other site size bands. .

Figure 2 – Time taken from submission of outline application to start on site by site size



Source: Gladman & Hourigan Connolly

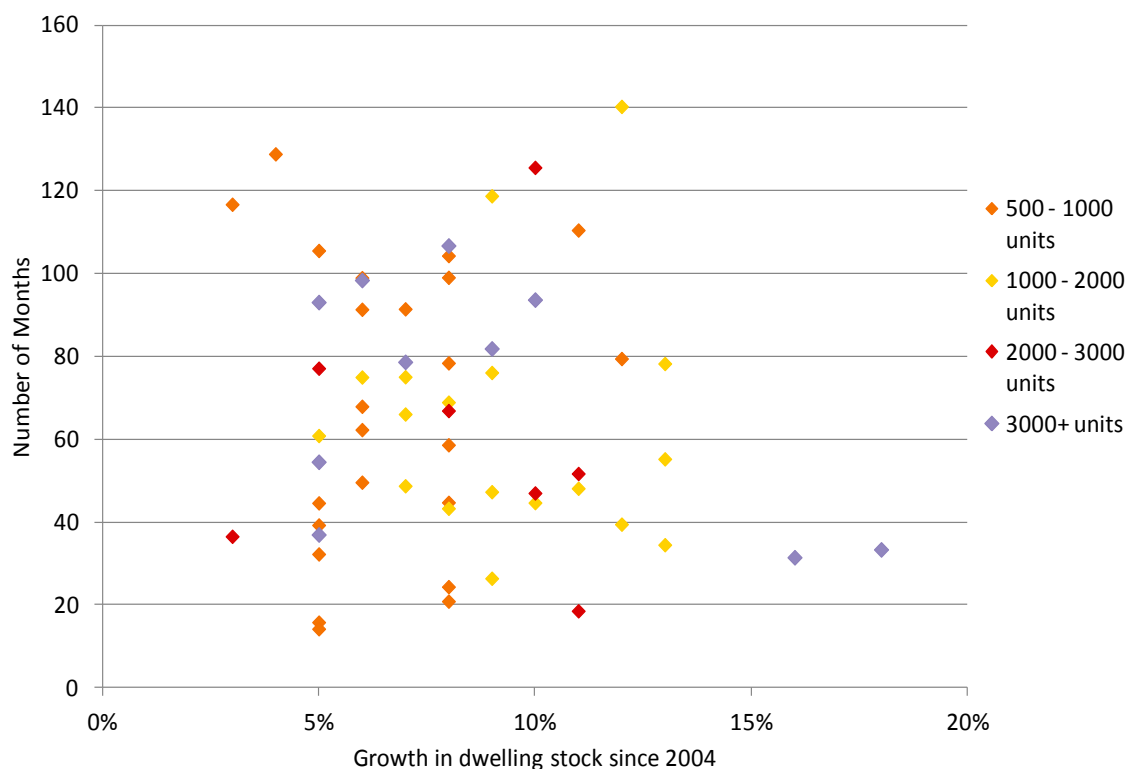
Urban Extensions

Assessment of Delivery Rates



There is however some indication that sites are more likely to progress quickly through the system in local authorities with high housing growth. Plotting the total time taken for construction to begin from the submission of an outline application against the increase in dwelling stock in each local authority over the last decade shows rapid progression of sites of over 3000 units in the established growth areas of Milton Keynes and Corby.

Figure 3 – Time taken from submission of outline application to start on site by authority delivery rates



Source: Savills using DCLG, Scottish Neighbourhood Statistics, Gladman & Hourigan Connolly

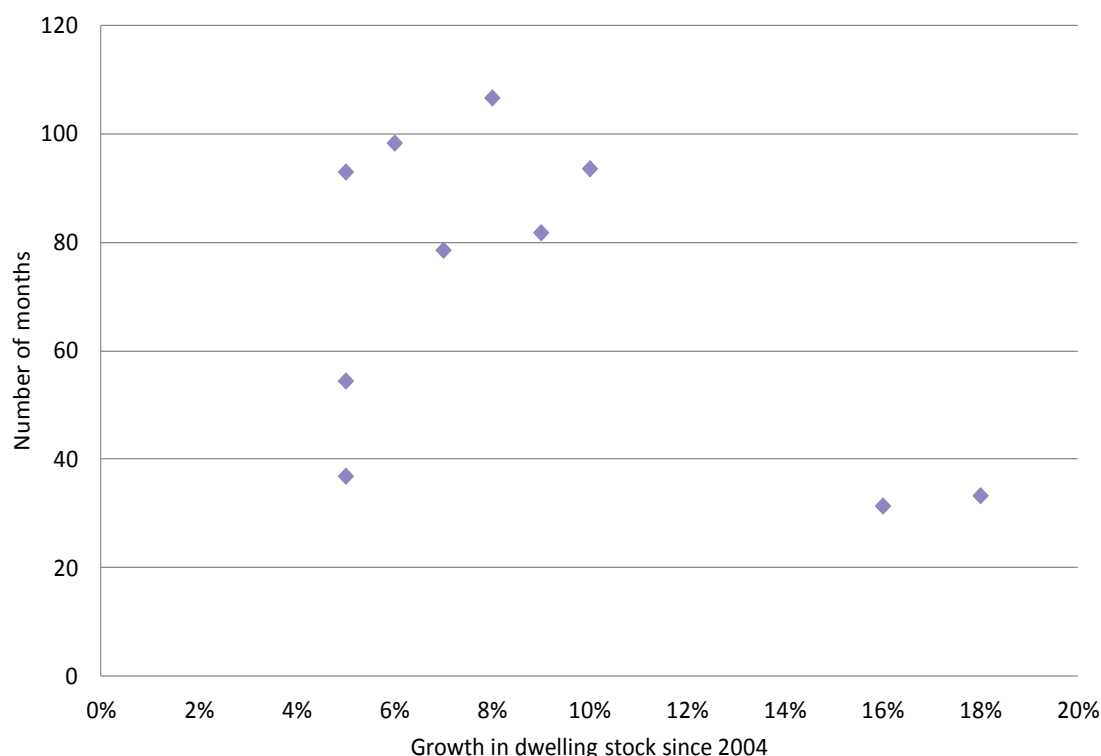
Urban Extensions

Assessment of Delivery Rates



In these two local authorities, which have respectively seen a 16% and 18% growth in dwellings since 2004, construction began within three years of an outline application being submitted. Conversely in the local authorities which have seen less than 10% growth, all but two of the 3000+ unit sites took longer than the 5 year average outlined in Table 1.

Figure 4 – Time taken from submission of outline application to start on site by authority delivery rates: 3000+ unit sites



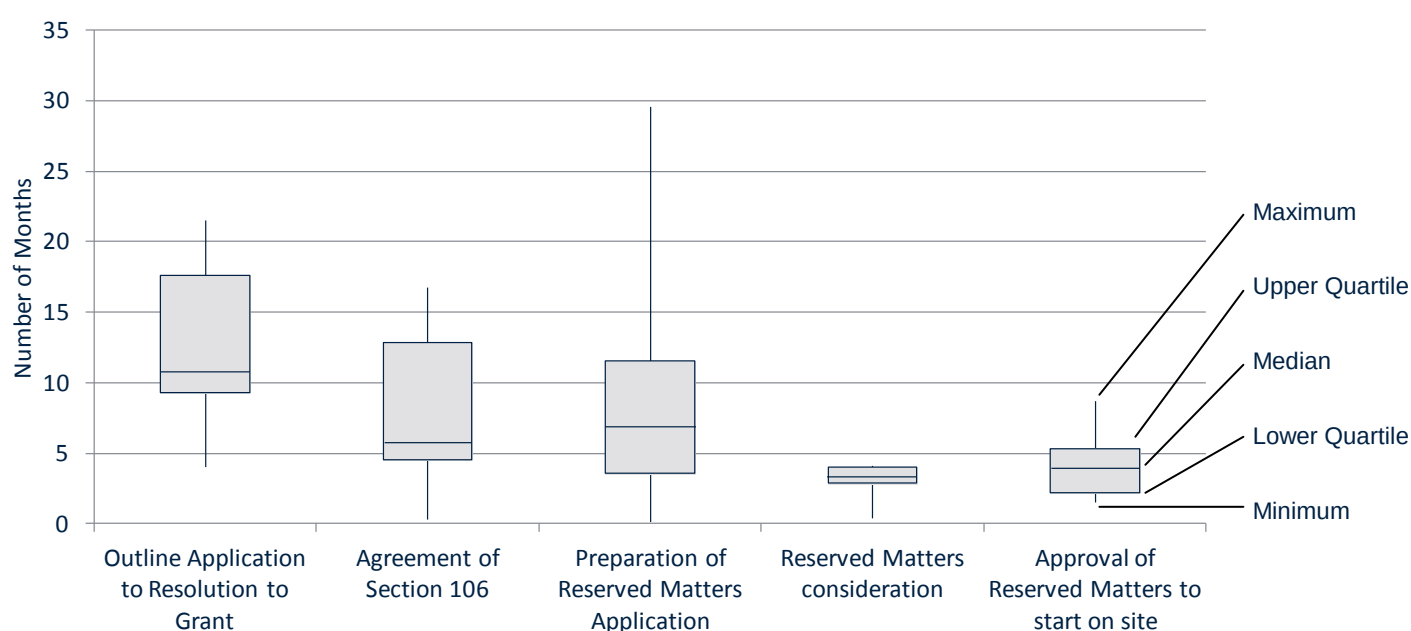
Source: Savills using DCLG, Scottish Neighbourhood Statistics, Gladman & Hourigan Connolly

The rapid progress of these sites through the planning process in local authorities which were already delivering high numbers of new dwellings suggests that the appetite for development and resource for dealing with major applications within the local authority plays just as important role in bringing forward urban extensions as the characteristics of the site itself. Corby and Milton Keynes were both recipients of funding through the 2003 Sustainable Communities Plan, which included grants totalling £350 million across the country for Planning Delivery, enabling them to progress major development sites more rapidly.

3.3. Recent Trends

The sites sampled in Gladman's report have come forward over a thirty year period, reflecting a variety of market conditions. To gain a clearer understanding of the progression of urban extension sites in the current climate, we have identified 24 sites for which an outline application was submitted after 2010, 18 of which were identified in the original Gladman report. Compared with the overall sample, these sites have progressed much more quickly, taking an **average of 33 months from the submission of the outline application to start on site, against the average of the whole sample of 60 months.** This suggests that it has become more likely that large sites will progress through the planning system quickly enough to begin delivering housing units within the lifetime of a five year housing land supply plan.

Figure 5 – Progression of urban extension applications submitted since 2010

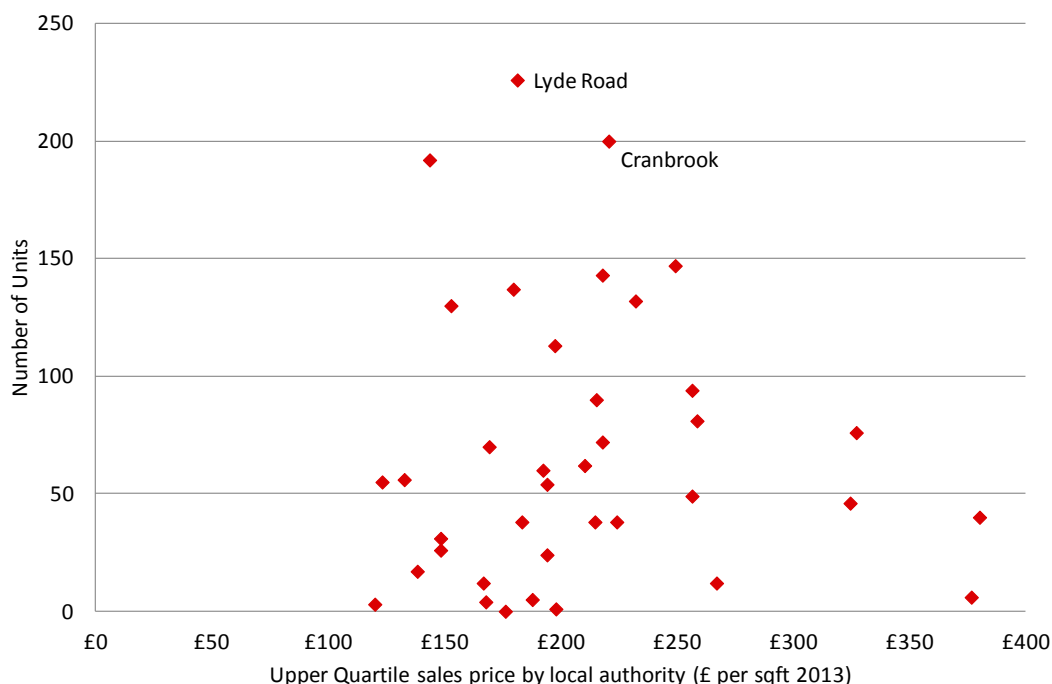


Source: Savills plus Gladman & Hourigan Connolly

4. Housing Delivery Rates

The site proforma in the Gladman study detail the number of units delivered per annum on sites where construction has started. Data is provided for 43 sites. **On average, sites delivered 65 units in the first year of construction**, although again there is a wide variation in the numbers delivered.

Figure 6 – Delivery of housing in the first year of construction



Source: Savills using Hometrack, Gladman & Hourigan Connolly

The sites which delivered high numbers in the first year generally did so due to their funding arrangements. The Lyde Road site in Yeovil which delivered 226 units had a high completion rate as the majority of the units were affordable homes and had to be completed within that financial year as a condition of government funding. The second highest delivery in the first year of construction was 200 units at Cranbrook in Devon. This site benefitted from strategic restrictions on development elsewhere in the borough, creating a positive climate for investment in the scheme, and competition between multiple developers on the site has led to high build rates.

After the first year of completions, the number of houses delivered by a site **rises to an average of 110 units, and remains at or above that level until year six of delivery**. After that point, delivery rates on sites in the 500 – 1000 unit band taper as they near completion. We do not have sufficient data to comment on delivery rates on larger sites in the later years of development.

Urban Extensions

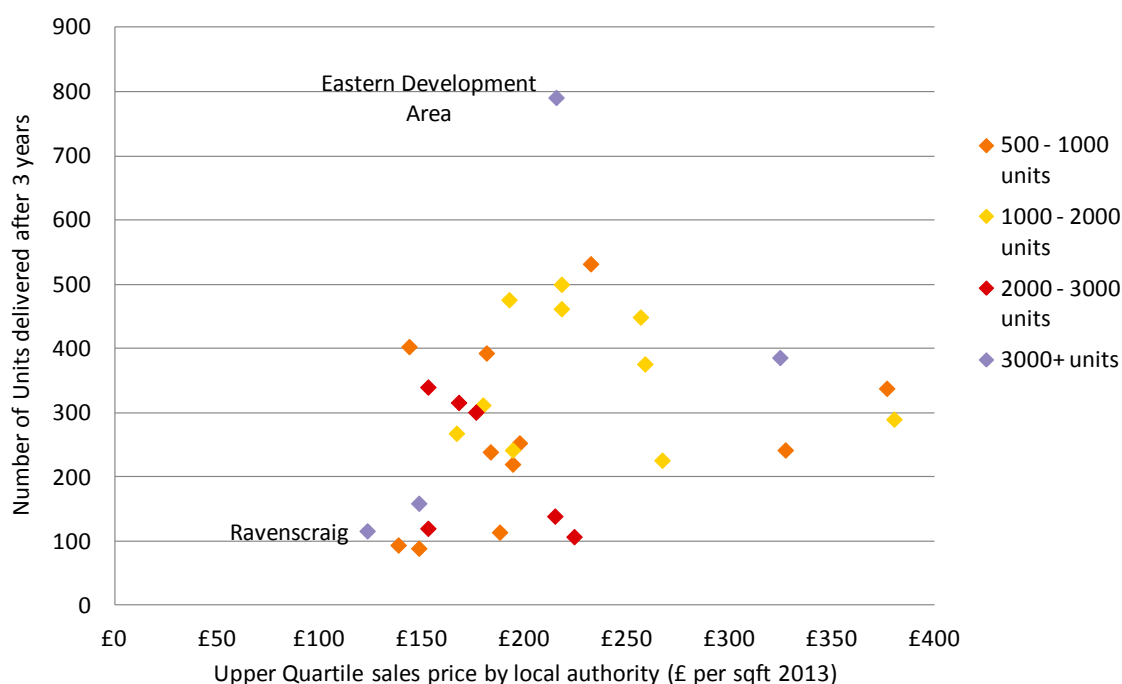
Assessment of Delivery Rates



4.1. Housing Market Strength

To study the relationship between delivery rates and housing market strength, we have plotted the number of units delivered three years after construction commenced against Hometrack house price data for the site's local authority.

Figure 7 – Impact of site size and housing market strength on rates of delivery in three years following start on site



Source: Savills using Hometrack, Gladman & Hourigan Connolly

This demonstrates that sites that struggle to deliver at high volumes tend to be in lower value areas. Every site that had not delivered 200 units or more after three years of construction is located in a local authority where the upper quartile sales value was less than £250 per sqft in 2013.

There is no overall trend of higher levels of delivery on the larger sites. There are very high rates on Eastern Development Area at Milton Keynes (capacity 4,000 units) where 791 units were delivered after three years of construction. This is in an established growth area, and was associated with high levels of competition between multiple developers on site. However, volumes have been much lower on other sites of a similar size. Conversely, the Ravenscraig site (capacity 3,500 units) has only delivered 116 units over the same period. Factors contributing to this include a weaker housing market, with upper quartile sales values of £126 per sq ft, and only having one developer active on site.

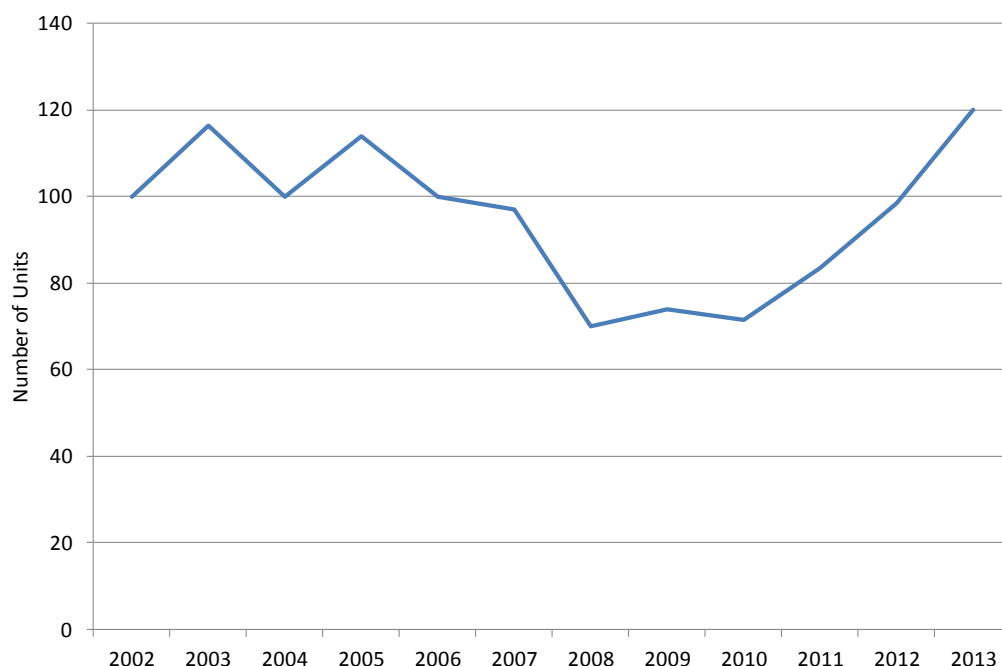
Urban Extensions

Assessment of Delivery Rates



The influence of the strength of the housing market on delivery from urban extensions is further shown by looking at the average total number of units, including affordable, delivered from the sites in the sample each year since 2002. In the years prior to the economic downturn, average delivery never dropped below 100 units a year. The weaker market from 2008 resulted in reduced delivery of fewer than 80 units a year from 2008 to 2011. As the housing market has strengthened in the last two years, delivery from the sites in the sample has increased sharply to an average of 120 units in 2013.

Figure 8 – Average annual housing delivery on urban extensions



Source: Gladman & Hourigan Connolly

At these rates, it takes a significant period to build out an urban extension to reach site capacity, but will see steady supply and high numbers of delivery, over the build out period, especially when building out in a robust housing market. The sites in the sample that have reached their first allocated capacity are:

- Cortonwood Colliery, Rotherham – 529 units, eight years from construction start, 17 years from submission of the outline application
- Former Brymbo Steelworks, Wrexham – 700 units, seven years from construction start, 17 years from the submission of the outline application
- Marks Farm, Braintree – 1000 units, twelve years from construction start, 14 years from submission of the outline application
- North East Caterton, West Oxfordshire – 1500 units, twelve years from construction start, 15 years from submission of the outline application
- Queen Elizabeth Park, Guildford – 500 units, seven years from construction start, 8 years from the submission of the outline application.

We are aware of many urban extensions in the south of England where recent delivery rates have been substantially in excess of the 120 units per annum shown in the chart for 2013.

Important Note

Finally, in accordance with our normal practice, we would state that this report is for general informative purposes only and does not constitute a formal valuation, appraisal or recommendation. It is only for the use of the persons to whom it is addressed and no responsibility can be accepted to any third party for the whole or any part of its contents. It may not be published, reproduced or quoted in part or in whole, nor may it be used as a basis for any contract, prospectus, agreement or other document without prior consent, which will not be unreasonably withheld.

Our findings are based on the assumptions given. As is customary with market studies, our findings should be regarded as valid for a limited period of time and should be subject to examination at regular intervals.

Whilst every effort has been made to ensure that the data contained in it is correct, no responsibility can be taken for omissions or erroneous data provided by a third party or due to information being unavailable or inaccessible during the research period. The estimates and conclusions contained in this report have been conscientiously prepared in the light of our experience in the property market and information that we were able to collect, but their accuracy is in no way guaranteed.