

The Inspector has requested that LPA provides each refusal reason and clearly identify which specific element of every policy quoted in the decision notice LPA considers the scheme to be contrary to. The Inspector requested that where the Framework is referred to in the refusal reason, which paragraph/s are relevant should be clarified. We have underlined wording the policies below which we think the proposal is contrary to.

Reason 1 - The site is poorly located and does not appear to have sufficient supporting infrastructure or opportunities for employees to reach the site by public transport, cycling and walking. The proposal would lead to intensification of employment generating uses which are not compatible with rural location. It has not been demonstrated it is imperative for the business to take place in a rural setting and has not demonstrated how the business and future business would make a contribution to the rural economy. Thus, the proposal does not to comply with policies ADPP1, CS9 and CS10 of Core Strategy.											
Policies	Policy Text	Linked paragraph to LPA statement of case.									
ADPP1	<p>Development in West Berkshire will follow the existing settlement pattern and comply with the spatial strategy set out in the Area Delivery Plan policies of this document based on the four spatial areas. Provision will be made for the delivery of at least 10,500 net additional dwellings and associated infrastructure over the period 2006 to 2026.</p> <p><u>Most development will be within or adjacent to the settlements included in the settlement hierarchy set out below, and related to the transport accessibility of the settlements (especially by public transport, cycling and walking) their level of services and the availability of suitable sites for development. The majority of development will take place on previously developed land.</u></p> <p><u>West Berkshire's main urban areas will be the focus for most development. The most intensively used developments, intensive employment generating uses, such as B1(a) offices, and intensive trip generating uses, such as major mixed use, retail or leisure uses, will be located in those town centre areas where the extent and capacity of supporting infrastructure, services and facilities is the greatest. High densities of development may be appropriate in these locations. Such development will have to be comprehensively planned in order to deliver maximum social, environmental and economic benefits to the wider community.</u></p> <p><u>The scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of residential, employment generating and other intensive uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited.</u></p> <p>District Settlement Hierarchy</p> <table border="1"> <tr> <td>Urban Areas</td> <td>Wide range of services and the focus for the majority of development</td> <td>Newbury, Thatcham, Eastern Urban Area (Tilehurst, Calcot and Purley on Thames)</td> </tr> <tr> <td>Rural Service Centres</td> <td>Range of services and reasonable public transport provision - opportunities to strengthen role in Rural Service Centres meeting requirements of surrounding communities</td> <td>Burghfield Common, Hungerford, Lambourn, Mortimer, Pangbourne, Theale</td> </tr> <tr> <td>Service Villages</td> <td>More limited range of services and some limited development potential.</td> <td>Aldermaston, Bradfield Southend, Chieveley, Cold Ash, Compton, More limited range of services and</td> </tr> </table>	Urban Areas	Wide range of services and the focus for the majority of development	Newbury, Thatcham, Eastern Urban Area (Tilehurst, Calcot and Purley on Thames)	Rural Service Centres	Range of services and reasonable public transport provision - opportunities to strengthen role in Rural Service Centres meeting requirements of surrounding communities	Burghfield Common, Hungerford, Lambourn, Mortimer, Pangbourne, Theale	Service Villages	More limited range of services and some limited development potential.	Aldermaston, Bradfield Southend, Chieveley, Cold Ash, Compton, More limited range of services and	For more information policy and LPA case please see paragraphs 5.1, 5.2, 5.6, 5.14, 5.15, 5.16, 5.17, 5.22, 5.23, 5.39 and 5.40
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	<p>some limited development potential Service Villages Great Shefford, Hermitage, Kintbury, Woolhampton</p> <p>Below the settlement hierarchy there are two additional types of area where there will be more limited development, including affordable housing for local needs:</p> <ul style="list-style-type: none"> • smaller villages with settlement boundaries - suitable only for limited infill development subject to the character and form of the settlement, • <u>open countryside - only appropriate limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy.</u> 	
CS9	<p>The Council seeks to facilitate and promote the growth and forecasted change of business development in the plan period in order to:</p> <ul style="list-style-type: none"> • manage the growth of B1 floorspace to meet future requirements; • <u>manage the reduction of land for B2 uses, whilst maintaining a sufficient portfolio of sites suitable for such uses; and</u> • <u>retain a portfolio of sites for B8 uses in suitable locations.</u> <p>This will be achieved through the following:</p> <p>(a) The appropriate location of business development:</p> <p><u>Proposals for industry, distribution and storage uses will be directed to the District's defined Protected Employment Areas⁽⁶³⁾, and existing suitably located employment sites and premises. Any proposals for such uses outside these areas/locations will be assessed by the Council against the following:</u></p> <ul style="list-style-type: none"> • <u>compatibility with uses in the area surrounding the proposals and potential impacts on those uses; and</u> • <u>capacity and impact on the road network and access by sustainable modes of transport.</u> <p><u>New office development will be directed towards West Berkshire's town and district centres as outlined in policy CS11. The scale of development will be appropriate to the size and character of the centre.</u></p> <p><u>If no suitable sites are available within an existing centre, then the following sequential approach will be taken for accommodating additional offices in the review of Protected Employment Areas and any allocations in the Site Allocations and Delivery DPD. This sequential approach should also be used in support of any planning application for office development outside defined centres:</u></p> <ul style="list-style-type: none"> • Edge of centre: suitably located brownfield site or Protected Employment Area within an edge of centre location, and Newbury Business Park. • Out of centre: brownfield site or Protected Employment Area within an out of centre location, with good accessibility by alternative modes of transport. • Other existing employment sites and premises not in an edge of centre or out of centre location. 	<p>For more information policy and LPA case please see paragraphs 5.3, 5.4, 5.6, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.23, 5.25, 5.26 5.39 and 5.40</p>

	<p>Proposals for non town centre uses which seek the loss of office floorspace within defined town and district centres will need to demonstrate that the proposal maintains the vitality of the existing centre and would not substantially prejudice the overall supply of office floorspace over the Core Strategy period in that centre.</p> <p>In making allocations for residential development in the Site Allocations and Delivery DPD the need for any complementary element of business development or other economic use to achieve an appropriate sustainable development, commensurate with the scale of any proposed allocation will be considered.</p> <p>(b) Protecting Employment Areas:</p> <p>Protected Employment Areas are parcels of land throughout the District designated for B uses⁽⁶⁴⁾. The continued designation, role and boundaries of existing Protected Employment Areas will be reviewed in the Site Allocations and Delivery DPD (or other subsequent Development Plan Document) to achieve a balanced portfolio of fit for purpose sites to meet future requirements. In the interim, subject to the application of the sequential test for any proposed town centre uses, proposals for employment generating uses, other than B class uses, within Protected Employment Areas will be favourably considered where these would be complementary to the existing business use in that location, and consistent with the integrity and function of the location for employment purposes. Proposals for such non B class employment generating uses which are likely to substantially prejudice the strategy set out at the start of this policy, will not be permitted.</p> <p>Business development will be supported on existing employment sites, particularly on those sites seen as strategically important for the District's economy – New Greenham Park, Vodafone HQ, and the Atomic Weapons Establishment (AWE). The Site Allocations and Delivery DPD will assess the role and function of these three sites to determine whether they should be designated as Protected Employment Areas or an alternative bespoke designation consistent with their importance to the local economy.</p> <p>(c) Managing the scale, type and intensification of business development:</p> <p><u>A range of types and sizes of employment sites and premises will be encouraged throughout the District to meet the needs of the local economy. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.</u></p> <p>More efficient use of existing sites and premises should be made in order to attract inward investment, respond to modern business requirements, and meet the demand for employment land over the plan period. The Council will promote the intensification, redevelopment, and upgrade of existing, vacant and/or derelict employment sites and premises for business development.</p>	
CS10	<p>Proposals to diversify the rural economy will be encouraged, <u>particularly where they are located in or adjacent to Rural Service Centres and Service Villages. Existing small and medium sized enterprises within the rural areas will be supported</u> in order to provide local job opportunities and maintain the vitality of smaller rural settlements. <u>Proposals seeking the loss of such existing sites and premises must demonstrate that the proposal does not negatively impact upon the local economy, and the vitality and viability of the surrounding rural area.</u></p>	<p>For more information policy and LPA case please see paragraphs 5.5, 5.14, 5.15, 5.15, 5.16, 5.17, 5.22, 5.27, 5.28 5.29, 5.30, 5.31, 5.32, 5.39 and 5.40</p>

	Proposals for appropriate farm diversification will be supported where it can be demonstrated that the proposal will make a long-term contribution to sustaining the agricultural enterprise as a whole.	
Refusal reason 2: <i>The proposal would represent an intensification of an urban commercial use of the site in a rural area and the modular buildings would appear alien in this rural landscape which is considered to cause unacceptable harm to the rural character and appearance of the area. It is considered that overall the proposal would not be acceptable in terms of location, scale and design and conflict with both CS14 and CS19 of West Berkshire Core Strategy 2006-2026.</i>		
Policies	Policy Text	Linked paragraph to LPA statement of case.
CS14	<p><u>New development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.</u></p> <p>Development proposals will be expected to:</p> <ul style="list-style-type: none"> • Create safe environments, addressing crime prevention and community safety. • Make good provision for access by all transport modes. • Ensure environments are accessible to all and give priority to pedestrian and cycle access providing linkages and integration with surrounding uses and open spaces. • <u>Make efficient use of land whilst respecting the density, character, landscape and biodiversity of the surrounding area.</u> • Consider opportunities for a mix of uses, buildings and landscaping. • Consider opportunities for public art. • Conserve and enhance the historic and cultural assets of West Berkshire. • Provide, conserve and enhance biodiversity and create linkages between green spaces and wildlife corridors. • Make a clear distinction between public and private spaces and enhance the public realm. • Consider opportunities for including Home Zones⁽⁷¹⁾ where practicable. <p>All development proposals will be expected to seek to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Policy CS15: Sustainable Construction and Energy Efficiency.</p>	For more information policy and LPA case please see paragraphs 6.1, 6.3, 6.4 to 6.11
CS19	<p>Historic Environment and Landscape Character</p> <p><u>In order to ensure that the diversity and local distinctiveness of the landscape character of the District is conserved and enhanced, the natural, cultural, and functional components of its character will be considered as a whole. In adopting this holistic approach, particular regard will be given to:</u></p> <p>a) <u>The sensitivity of the area to change.</u> b) <u>Ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.</u> c) The conservation and, where appropriate, enhancement of heritage assets and their settings (including those designations identified in Box 1). d) Accessibility to and participation in the historic environment by the local community.</p> <p>Proposals for development should be informed by and respond to:</p>	For more information policy and LPA case please see paragraphs 6.2, 6.2, 6.4 to 6.11

	<p>a) <u>The distinctive character areas and key characteristics identified in relevant landscape character assessments</u> including Historic Landscape Characterisation for West Berkshire and Historic Environment Character Zoning for West Berkshire.</p> <p>b) <u>Features identified in various settlement character studies including Quality Design – West Berkshire Supplementary Planning Document</u>, the Newbury Historic Character Study, Conservation Area Appraisals and community planning documents which have been adopted by the Council such as Parish Plans and Town and Village Design Statements.</p> <p>c) The nature of and the potential for heritage assets identified through the Historic Environment Record for West Berkshire and the extent of their significance.</p>	
<p>Reason 3 - A noise assessment has not been received as part of this application and this means there is insufficient information to conclude that noise generated from the proposed flexible Class B2/B8/E(g) use will not have a harmful impact on residential amenity of occupier who live in the dwelling granted under 20/01304/CERTE. The proposal does not comply with OVS5 or OVS6 the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007) or policy CS14 of the West Berkshire Core Strategy 2006-2026.</p>		
Policies	Policy Text	Linked paragraph to LPA statement of case.
OVS5	<p>The Council will only permit development proposals where they do not give rise to an unacceptable <u>pollution of the environment</u>. In order to minimise the adverse impact on the environment or loss of amenity proposals should have regard to:</p> <p>(a) the need to ensure the adequate storage and disposal of waste materials; and</p> <p>(b) the installation of equipment to minimise the harmful effects of emissions; and</p> <p>(c) the hours, days or seasons of operations; and</p> <p>(d) locating potential nuisance or pollution activities onto the least sensitive parts of the site or where the impacts can be best contained by physical or other appropriate measures.</p>	<p>When the decision was originally made it was felt the proposal conflicted with OVS5, OVS6 and CS14.</p> <p>At appeal a noise assessment has been submitted and this was accepted by the LPA. It should be noted it has been agreed with the appellant that the LPA are not pursuing this reason for refusal as the noise assessment can be secured by condition. This is outlined in our statement of case and SoCG.</p>
OVS6	<p><u>Policy OVS.6 The Council will require appropriate measures to be taken in the location, design, layout and operation of development proposals in order to minimise any adverse impact as a result of noise generated</u>. Special consideration is required where noisy development is proposed in or near Sites of Special Scientific Interest or which would harm the quiet enjoyment of Areas of Outstanding Natural Beauty. Proposals for noise sensitive developments should have regard to the following:</p> <p>(a) existing sources of noise e.g. from roads, railways and other forms of transport, industrial and commercial developments, sporting, recreation and leisure facilities; and</p> <p>(b) <u>the need for appropriate sound insulation measures</u>; and</p> <p>(c) <u>the noise exposure levels</u> outlined in Annex 1 of PPG24. In the context of this policy noise sensitive uses are housing, schools and hospitals.</p>	<p>Refusal reason 3 is included in this document is for completeness and to demonstrate original reasoning for its inclusion. Additional information has been submitted at appeal which means unlined has been overcome.</p> <p>Both the LPA and Appellant agree that this reason for refusal should be not pursued and have agree a suitable condition.</p>
CS14	<p>New development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and <u>makes a positive contribution to the quality of life in West Berkshire</u>. Good design relates not only to the appearance of a development, but the way in which it functions. Considerations of design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place.</p> <p>Development proposals will be expected to:</p> <ul style="list-style-type: none"> • Create safe environments, addressing crime prevention and community safety. • Make good provision for access by all transport modes. • Ensure environments are accessible to all and give priority to pedestrian and cycle access providing linkages and integration with surrounding uses and open spaces. • Make efficient use of land whilst respecting the density, character, landscape and biodiversity of the surrounding area. 	

	<ul style="list-style-type: none"> • Consider opportunities for a mix of uses, buildings and landscaping. • Consider opportunities for public art. • Conserve and enhance the historic and cultural assets of West Berkshire. • Provide, conserve and enhance biodiversity and create linkages between green spaces and wildlife corridors. • Make a clear distinction between public and private spaces and enhance the public realm. • Consider opportunities for including Home Zones⁽⁷¹⁾ where practicable. <p>All development proposals will be expected to seek to minimise carbon dioxide emissions through sustainable design and construction, energy efficiency, and the incorporation of renewable energy technology as appropriate and in accordance with Policy CS15: Sustainable Construction and Energy Efficiency.</p>	
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Refusal reason 4 - *The proposal will significantly increase traffic in a remote rural location that has no pedestrian or bus routes and is accessible only by rural roads which are not conducive to cycling. Accordingly, by virtue of the nature, intensity and location of the development it would significantly increase traffic where the mode of travel can only reasonably be the private car. There is a lack of information to demonstrate there will not be an increase in traffic along Goodboys Lane that is unsuitable for a significant increase in larger vehicles. An increase in larger vehicle would lead to a potential Highway Safety risk which would be harmful to road users. The proposal is therefore unsustainable and is contrary to Policies ADPP1, ADPP6, CS9, CS10 and CS13 of the West Berkshire Core Strategy 2006-2026, the Local Transport Plan for West Berkshire 2011-2026, and the National Planning Policy Framework.*

Policies	Policy Text	Linked paragraph to LPA statement of case.			
ADPP1	<p>Development in West Berkshire will follow the existing settlement pattern and comply with the spatial strategy set out in the Area Delivery Plan policies of this document based on the four spatial areas. Provision will be made for the delivery of at least 10,500 net additional dwellings and associated infrastructure over the period 2006 to 2026.</p> <p>Most development will be within or adjacent to the settlements included in the settlement hierarchy set out below, and <u>related to the transport accessibility of the settlements (especially by public transport, cycling and walking)</u> their level of services and the availability of suitable sites for development. The majority of development will take place on previously developed land.</p> <p>West Berkshire's main urban areas will be the focus for most development. <u>The most intensively used developments, intensive employment generating uses, such as B1(a) offices, and intensive trip generating uses, such as major mixed use, retail or leisure uses, will be located in those town centre areas where the extent and capacity of supporting infrastructure, services and facilities is the greatest.</u> High densities of development may be appropriate in these locations. Such development will have to be comprehensively planned in order to deliver maximum social, environmental and economic benefits to the wider community.</p> <p><u>The scale and density of development will be related to the site's current or proposed accessibility, character and surroundings. Significant intensification of residential, employment generating and other intensive uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited.</u></p> <p>District Settlement Hierarchy</p> <table border="1" data-bbox="305 1780 1620 1879"> <tr> <td data-bbox="305 1780 744 1879">Urban Areas</td> <td data-bbox="744 1780 1184 1879">Wide range of services and the focus for the majority of development</td> <td data-bbox="1184 1780 1620 1879">Newbury, Thatcham, Eastern Urban Area (Tilehurst, Calcot and Purley on Thames)</td> </tr> </table>	Urban Areas	Wide range of services and the focus for the majority of development	Newbury, Thatcham, Eastern Urban Area (Tilehurst, Calcot and Purley on Thames)	For more information policy and LPA case please see paragraphs 8.1 to 8.17.
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	<p>Rural Service Centres</p>	<p>Range of services and reasonable public transport provision - opportunities to strengthen role in Rural Service Centres meeting requirements of surrounding communities</p>	<p>Burghfield Common, Hungerford, Lambourn, Mortimer, Pangbourne, Theale</p>	
	<p>Service Villages</p>	<p>More limited range of services and some limited development potential.</p>	<p>Aldermaston, Bradfield Southend, Chieveley, Cold Ash, Compton, More limited range of services and some limited development potential Service Villages Great Shefford, Hermitage, Kintbury, Woolhampton</p>	
ADPP6	<p>Below the settlement hierarchy there are two additional types of area where there will be more limited development, including affordable housing for local needs:</p> <ul style="list-style-type: none"> • smaller villages with settlement boundaries - suitable only for limited infill development subject to the character and form of the settlement, • open countryside - only appropriate limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy. 			<p>LPA apologises - ADPP6 is not relevant to this reason for refusal.</p>
CS9	<p>The Council seeks to facilitate and promote the growth and forecasted change of business development in the plan period in order to:</p> <ul style="list-style-type: none"> - manage the growth of B1 floorspace to meet future requirements; - manage the reduction of land for B2 uses, whilst maintaining a sufficient portfolio of sites suitable for such uses; and - retain a portfolio of sites for B8 uses in suitable locations. <p>This will be achieved through the following:</p> <p>(a) The appropriate location of business development:</p> <p>Proposals for industry, distribution and storage uses will be directed to the District's defined Protected Employment Areas(63), and <u>existing suitably located employment sites and premises</u>. Any proposals for such uses outside these areas/locations will be assessed by the Council against the following:</p> <ul style="list-style-type: none"> - compatibility with uses in the area surrounding the proposals and potential impacts on those uses; and - <u>capacity and impact on the road network and access by sustainable modes of transport.</u> <p>New office development will be directed towards West Berkshire's town and district centres as outlined in policy CS11. The scale of development will be appropriate to the size and character of the centre.</p>			<p>For more information policy and LPA case please see paragraphs 8.1 to 8.17.</p>

If no suitable sites are available within an existing centre, then the following sequential approach will be taken for accommodating additional offices in the review of Protected Employment Areas and any allocations in the Site Allocations and Delivery DPD. This sequential approach should also be used in support of any planning application for office development outside defined centres:

- Edge of centre: suitably located brownfield site or Protected Employment Area within an edge of centre location, and Newbury Business Park.
- Out of centre: brownfield site or Protected Employment Area within an out of centre location, with good accessibility by alternative modes of transport.
- Other existing employment sites and premises not in an edge of centre or out of centre location.

Proposals for non town centre uses which seek the loss of office floorspace within defined town and district centres will need to demonstrate that the proposal maintains the vitality of the existing centre and would not substantially prejudice the overall supply of office floorspace over the Core Strategy period in that centre.

In making allocations for residential development in the Site Allocations and Delivery DPD the need for any complementary element of business development or other economic use to achieve an appropriate sustainable development, commensurate with the scale of any proposed allocation will be considered.

(b) Protecting Employment Areas:

Protected Employment Areas are parcels of land throughout the District designated for B uses(64). The continued designation, role and boundaries of existing Protected Employment Areas will be reviewed in the Site Allocations and Delivery DPD (or other subsequent Development Plan Document) to achieve a balanced portfolio of fit for purpose sites to meet future requirements. In the interim, subject to the application of the sequential test for any proposed town centre uses, proposals for employment generating uses, other than B class uses, within Protected Employment Areas will be favourably considered where these would be complementary to the existing business use in that location, and consistent with the integrity and function of the location for employment purposes. Proposals for such non B class employment generating uses which are likely to substantially prejudice the strategy set out at the start of this policy, will not be permitted.

Business development will be supported on existing employment sites, particularly on those sites seen as strategically important for the District's economy – New Greenham Park, Vodafone HQ, and the Atomic Weapons Establishment (AWE). The Site Allocations and Delivery DPD will assess the role and function of these three sites to determine whether they should be designated as Protected Employment Areas or an alternative bespoke designation consistent with their importance to the local economy.

(c) Managing the scale, type and intensification of business development:

A range of types and sizes of employment sites and premises will be encouraged throughout the District to meet the needs of the local economy. Proposals for business development should be in keeping with the surrounding environment, not conflict with existing uses, and promote sustainable transport.

	More efficient use of existing sites and premises should be made in order to attract inward investment, respond to modern business requirements, and meet the demand for employment land over the plan period. The Council will promote the intensification, redevelopment, and upgrade of existing, vacant and/or derelict employment sites and premises for business development.	
CS10	-	LPA apologises – CS10 is not relevant to this reason for refusal.
CS13	<p>Transport</p> <p><u>Development that generates a transport impact will be required to:</u>*</p> <ul style="list-style-type: none"> • <u>Reduce the need to travel.</u> • <u>Improve and promote opportunities for healthy and safe travel.</u> • <u>Improve travel choice and facilitate sustainable travel particularly within, between and to main urban areas and rural service centres.</u> • <u>Demonstrate good access to key services and facilities.</u> • <u>Minimise the impact of all forms of travel on the environment and help tackle climate change.</u> • <u>Mitigate the impact on the local transport network and the strategic road network.</u> • <u>Take into account the West Berkshire Freight Route Network (FRN).</u> • <u>Prepare Transport Assessments/Statements and Travel Plans to support planning proposals in accordance with national guidance</u> <p>*Development proposals may not need to fulfil each bullet point. The supporting text below clarifies the types and scale of development which will be required to meet the specific parts of this policy.</p>	For more information on the policy and LPA case please see paragraphs 8.1, 8.2. then 8.4 to 8.17.
Local Transport Plan 2011-2026	<p>Policy LTP K3 - Accessibility (access to services and facilities)</p> <p><u>The council will work towards improving access to essential services and facilities for all living and working within West Berkshire. To achieve this, the Council will consider access by a range of modes and focus on the following:</u></p> <ol style="list-style-type: none"> I. <u>Ensuring that new development is focused where there is already good access to services and facilities.</u> II. Improving connections between communities and services and facilities. III. Ensuring that accessibility to services and facilities for all is considered when planning and developing transport schemes. IV. Investigate the feasibility of developing a range of flexible and cost-effective services where particular needs are identified that are not able to be met by existing transport services. V. v. Facilitating equal access to the rights of way network for access to services <p>Policy LTP K5 - Climate Change</p> <p><u>The Council will develop measures to reduce road transport energy consumption and carbon emissions in West Berkshire and to plan for the impacts of climate change on transport. To achieve this, the Council will work with its partners to:</u></p> <ol style="list-style-type: none"> I. <u>Reduce carbon emissions from road transport</u> II. <u>Reduce energy consumption (from vehicles and from management of transport infrastructure and networks)</u> III. <u>Ensure transport networks are resilient to the consequences of and planned to adapt to climate change</u> 	For more information on the policy and LPA case please see 8.3 then 8.4 to 8.17

	<p>Policy LTP K13 New Development</p> <p><u>The Council will manage the transport and travel aspects of development in a way that supports the delivery of the Local Development Framework Core Strategy and the local transport goals. To achieve this, the Council will focus on the following:</u></p> <ul style="list-style-type: none"> i. <u>Ensuring Transport Assessments / Statements submitted in support of development are of an acceptable standard and use relevant modelling tools.</u> ii. <u>Ensuring appropriate measures are developed and delivered to mitigate impacts of development on transport networks.</u> iii. Ensuring robust Travel Plans are developed, delivered and monitored for relevant developments. iv. Ensuring the transport and travel aspects of all development are planned to integrate with and enhance existing networks and to support delivery of Policy CS 14 (Transport). v. Ensuring traffic impacts from developments do not adversely affect safety on transport networks. vi. <u>Ensuring the transport impacts of development do not adversely affect the environment especially the character of rural roads, rural communities and the AONB.</u> 	
NPPF	<p>108. <u>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</u></p> <ul style="list-style-type: none"> a) <u>the potential impacts of development on transport networks can be addressed;</u> b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) <u>opportunities to promote walking, cycling and public transport use are identified and pursued;</u> d) <u>the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</u> e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. <p>109. The planning system should actively manage patterns of growth in support of these objectives. <u>Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.</u></p> <p>114. In assessing sites that may be allocated for development in plans, or <u>specific applications for development, it should be ensured that:</u></p>	<p>A transport assessment was submitted at the Appeal Stage which address Highway Safety matters. However, Highways maintain an objection to the proposals as they would increase traffic in a location that is unsustainable in transport terms. See section 8.5 to 8.17 of LPA SoC for more information.</p>

<p>a) <u>appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;</u></p> <p>b) safe and suitable access to the site can be achieved for all users;</p> <p>c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and</p> <p>d) <u>any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.</u></p> <p>116. Within this context, <u>applications for development should:</u></p> <p>a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – <u>so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;</u></p> <p>b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;</p> <p>c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;</p> <p>d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and</p> <p>e) <u>be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.</u></p> <p>117. All developments that will generate significant amounts of movement should be required to provide a travel plan, and <u>the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed</u></p>	
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Refusal reason 6 - It has not been demonstrated that the proposed development would be built with minimum standards of construction of BREEAM Excellent. As such the proposal is not compliant with Policy CS15 of West Berkshire Core Strategy (2006-2026).

Policies	Policy Text	Linked paragraph to LPA statement of case.
CS15	<p>Sustainable Construction and Energy Efficiency</p> <p>Residential Development</p> <p>New residential development will meet the following minimum standards of construction:</p> <ul style="list-style-type: none"> • Minor development - Code for Sustainable Homes Level 3 • Major development- Code for Sustainable Homes Level 4 • From 2013: All development - Code for Sustainable Homes Level 4 • From 2016: All development - Code for Sustainable Homes Level 6 	<p>For more information on the policy and LPA case please see 9.1 to 9.7</p>

	<p><u>Non-Residential Development</u></p> <p><u>New non-residential development will meet the following minimum standards of construction:</u></p> <ul style="list-style-type: none"> • Minor development - BREEAM Very Good • Major development - BREEAM Excellent • <u>From 2013: All development - BREEAM Excellent</u> <p><u>Renewable energy</u></p> <p>Major development shall achieve the following minimum reductions in total CO2 emissions (regulated and unregulated energy use) from renewable energy or low/zero carbon energy generation on site or in the locality of the development as long as a direct physical connection is used, unless it can be demonstrated that such provision is not technically or economically viable.</p> <p>The percentage reductions in CO2 emissions should be based on the estimated CO2 emissions of the development after the installation of energy efficiency measures related to either the Code for Sustainable Homes, BREEAM or equivalent method has been applied.</p> <p>Residential Development:</p> <ul style="list-style-type: none"> • A 10% reduction in CO2 emissions; • from 2014: A 20% reduction in CO2 emissions; • from 2016: Zero Carbon <p>Non-Residential Development:</p> <ul style="list-style-type: none"> • A 10% reduction in CO2 emissions; • from 2014: A 20% reduction in CO2 emissions; • from 2019: Zero Carbon 	
<p>Refusal reason 7 - <i>The application site is situated within the Detailed Emergency Planning Zone (DEPZ) surrounding the Burghfield Atomic Weapons Establishment (AWE). The use of the DEPZ in this context provides an area for development control consistent with the zone defined originally for emergency planning purposes. Off-site emergency arrangements are a requirement of the Radiation (Emergency Preparedness and Public Information) Regulations 2001 and are outlined within the AWE Off-Site Emergency Plan issue: January 2019. The purpose of the plan is to provide a detailed framework for all responding agencies to work to in order to facilitate the protection of the public and/or environment following an event involving an on-site accident at AWE Burghfield</i></p> <p><i>There is insufficient information to demonstrate that the proposed development would not result in an increase in population within DEPZ. With no individual Emergency plan in place the proposal would have an adverse impact on the AWE Off-Site Emergency Plan due to distance meaning that evacuation after a period of shelter would be necessary, and in terms of recovery implications in the longer term.</i></p> <p><i>According to Policy CS8 of the West Berkshire Core Strategy proposals in the consultation zones will be considered in consultation with the ONR. In the interests of public safety, development in planning consultation zone of AWE Burghfield is likely to be refused planning permission by the Council when the Office for Nuclear Regulation (ONR) has advised against that development. Both the ONR and Emergency Planning Team advise against this development because insufficient information has been received and this mean they have not been able to give consideration to the specific impacts of the development on the Off-Site Emergency Plan. As such, the proposal conflicts with the NPPF and Policy CS8 of West Berkshire Core Strategy 2006-2026.</i></p>		
<p>Policies</p> <p>CS8</p>	<p>Policy Text</p> <p>Nuclear Installations - AWE Aldermaston and Burghfield</p>	<p>Linked paragraph to LPA statement of case.</p> <p>See emergency planning statement of case</p>

In the interests of public safety, residential development in the inner land use planning consultation zones of AWE Aldermaston and AWE Burghfield is likely to be refused planning permission by the Council when the Office for Nuclear Regulation (ONR) has advised against that development. All other development proposals in the consultation zones will be considered in consultation with the ONR, having regard to the scale of development proposed, its location, population distribution of the area and the impact on public safety, to include how the development would impact on “Blue Light Services” and the emergency off site plan in the event of an emergency as well as other planning criteria. Consultation arrangements for planning applications will be undertaken with the ONR using the table below.

Development within the Land Use Planning Consultation Zones: Office for Nuclear Regulation					
AWE Aldermaston			AWE Burghfield		
<u>Zone</u>	<u>Distance</u>	<u>Development Type</u>	<u>Zone</u>	<u>Distance</u>	<u>Development Type</u>
Inner	0-3 km	All residential or non-residential Where one or more additional person may live, work, or shop(all applications save listed buildings, conservation area consent, house extensions, shop front, prior notifications and telecommunication)	Inner	0-1.5 km	All residential or non-residential <u>Where one or more additional person may live, work, or shop(all applications save listed buildings, conservation area consent, house extensions, shop front, prior notifications and telecommunication)</u>
Middle	3-5 km	Residential accommodation or non - residential accommodation exceeding 50 people. - 20 or more dwellings; - 1,000 sq.m. B1 - 2,400 sq.m. B8	Middle	1.5 - 3 km	Residential accommodation or non - residential accommodation exceeding 50 people. - 20 or more dwellings; - 1,000 sq.m. B1 - 2,400 sq.m. B8
Outer	5-8 km	Residential accommodation or non residential accommodation exceeding 500 people.	Outer	3-5 km	Residential accommodation or non residential accommodation exceeding 500 people.

			- 200 or more dwellings; - 11,000 sq.m. B1 - 24,000 sq.m. B8			- 200 or more dwellings; - 11,000 sq.m. B1 - 24,000 sq.m. B8	
NPPF	<p>Paragraph 101 - Planning policies <u>and decisions should promote public safety and take into account wider security and defence requirements by:</u></p> <p>a) <u>anticipating and addressing possible malicious threats and natural hazards</u>, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), <u>and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security;</u> and</p> <p>b) recognising and supporting development required for operational defence and security purposes, and <u>ensuring that operational sites are not affected adversely by the impact of other development proposed in the area</u></p>						See emergency planning statement of case