



Appeal Decision

Inquiry Opened on 27 February 2018

Site visit made on 8 May 2018

by Lesley Coffey BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th September 2018

Appeal Ref: APP/X0360/W/15/3097721

Land at Stanbury House, Basingstoke Road, Spencers Wood RG7 1AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Cooper Estates Strategic Land Limited against Wokingham Borough Council.
 - The application Ref O/2014/2101, is dated 23 September 2014.
 - The development proposed is up to 57 new homes, access from Basingstoke Road and the delivery of 6 hectares of Suitable Alternative Natural Greenspace (SANG).
 - This decision supersedes that issued on 20 June 2016. That decision on the appeal was quashed by order of the High Court.
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Decision

1. The appeal is allowed and planning permission is granted for up to 57 new homes, access from Basingstoke Road, at Land at Stanbury House, Basingstoke Road, Spencers Wood RG7 1AJ in accordance with the terms of the application, Ref O/2014/2101, dated 23 September 2014, subject to the conditions in the attached schedule.

Procedural Matters

2. The inquiry opened on 27 February 2018, and adjourned on 1 March due to adverse weather conditions. It resumed on 9 and 10 May 2018. I made an unaccompanied visit to the appeal site and the surrounding area on 8 May.
3. The description above is taken from the application form. The previous inspector amended the description to reflect the fact that the proposed SANG lies beyond the appeal site boundary. At the inquiry the parties agreed that the description should be amended in the same manner.
4. The appeal relates to an outline planning application with all matters except access reserved for future determination. Appearance, landscaping, layout and the scale of the proposal are reserved for future approval.
5. This is an appeal against the Council's failure to determine the application within the prescribed period. Following the submission of the appeal the Council set out five putative reasons for refusal. In summary these are: the location of the site outside the settlement envelope for Spencers Wood; the unacceptable harm to the local landscape character; the failure to deliver affordable housing; the unacceptable harm to the trees on and off of the

- appeal site; and the failure to provide mitigation in relation to the Thames Basin Heaths Special Protection Area(SPA).
6. The appellant submitted a revised indicative layout, to address the impact of the proposals on the trees on and adjacent to the site. The indicative plan, drawing number 13-2318-03 Rev A, was considered by the Inspector at the time of the previous inquiry, and I have used the same plan. Although it has been submitted for illustrative purposes it shows the potential relationship between the trees, on and adjacent to the site, with the proposed dwellings.
 7. Prior to the opening of the original inquiry the appellant submitted an Agreement under Section 106 of the Town and Country Planning Act 1990. On the basis of the obligations within it the Council withdrew the putative reasons for refusal in relation to affordable housing and the mitigation in relation to the Thames Basin Heaths SPA. A revised Agreement was submitted to the inquiry. This covenants to provide a footpath link to the bus stop, the delivery of 12 hectares of SANG, and the provision of affordable housing. I have taken it into account in reaching my decision.
 8. The previous appeal Inspector allowed the appeal, however the decision was quashed by the High Court on 21 July, 2017. The High Court challenge did not refer to the Inspector's conclusions as to the sustainability, or suitability of the appeal site to provide new housing as a matter of principle, nor the potential harm to the landscape or trees from the proposed development. He concluded that there would be some limited harm to the landscape character of the site and to some trees within it, but when weighed in the overall planning balance these considerations did not significantly and demonstrably outweigh those matters that are in its favour, in particular the delivery of housing. The Council's updated statement of case confirms that it accepts the Inspector's conclusions in respect of the effect of the proposal on the landscape character of the locality and the trees. I have considered the appeal accordingly.
 9. The Council's housing land supply proofs of evidence was based on the *March 2017 Five Year Housing Land Supply Position*. This showed 4.93 years housing land supply assuming a 20% buffer. A few days before the commencement of the inquiry the Council published *Five Year Housing Land Supply Statement at 30 November 2017 (HLSS)*. This was subsequently re-published a number of times in order to address errors within it. The most recent version submitted to the inquiry was published on 18 April 2018. On the basis of these more recent figures the Council submitted that it now had in excess of a five year housing land supply and should no longer be a 20% buffer authority.
 10. The Council's witnesses updated their evidence in relation to the housing land supply orally. Mr Howard was unable to attend the inquiry and his evidence, in respect of Land South of the M4, was adopted by Mr Chancellor.
 11. The appeal site lies within five kilometres of the Thames Basin Heaths Special Protection Area (SPA). On 12 April 2018 the Court of Justice of the European Union (CJEU) issued the *People over Wind, Peter Sweetman v Coillte Teoranta* judgment which ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an appropriate assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.

12. Prior to this judgement, all parties, including Natural England, accepted that the appeal scheme in combination with the Suitable Alternative Greenspace (SANG) to be delivered by the proposal would have no significant environmental effects on the Thames Basin SPA. The appellant submits that this appeal may be distinguished from *People Over Wind*, since the trigger for an appropriate assessment relates to the project in question. In this case the appeal scheme is part of a larger project that includes the SANG. On this basis the appellant submits that the project as a whole would not have any likely significant effects. Whilst I consider that there is some merit in this argument, both parties accept that sufficient information has been submitted to enable me to undertake an appropriate assessment. In my view such an assessment is required.
13. At the commencement of the inquiry the appellant wished to include whether the Council had a five year supply of affordable housing as well as market housing land as a main issue. The Council considered that it would be prejudiced if this issue were included, since it would need to identify the relevant component of the Objectively Assessed Need (OAN) figure to be used as the requirement for affordable housing. It suggested that it may not be possible to establish such a figure. It considered that detailed evidence would be required to address this issue, and an adjournment would be required if this issue were to be considered as part of the inquiry.
14. The appellant stated that it was intended to rely on the existing evidence within the proofs submitted by Mr Watson and Ms Mulliner, together with the Council's Affordable Housing Position Statement (which clarifies the application of Core Strategy policy CP5) and the Issues and Options Consultation Document (August 2016). The Council suggested that the Affordable Housing Position Statement could not be relied on since it was an officer's memo and had no official standing. The inquiry was shown the relevant part of the Council's website and the Position Statement was located within Planning Policy /Housing Evidence. There is no credible evidence to suggest that it does not represent the Council's official approach to affordable housing. The fact that its contents accord with the Issues and Options Consultation Document adds weight to this view.
15. The parties were unable to reach agreement on this matter outside of the inquiry. Mr Jones stated that in the light of the inability to reach agreement with the Council on the approach to this matter and the likely delay the appellant did not wish to pursue it further.
16. The Council sought a ruling as to whether the availability of a five year supply of affordable housing would be a main issue in this decision and also wished the appellant to amend their opening statement to reflect the change in position. I explained that since the appellant was no longer pursuing this matter a ruling was not necessary. The Council agreed.
17. Following the close of the inquiry the appellant submitted an appeal decision in respect of Sonning Golf Club¹. The parties were provided with an opportunity to comment on this decision and I have taken their comments into account.
18. The revised National Planning Policy Framework (the Framework) was published on 24 July 2018. As confirmed by paragraph 212 the Framework is a

¹ APP/X0360/W/17/316/7142

material consideration in respect of applications from the day of publication. The parties were provided with an opportunity to comments upon it. I have taken their comments, and the revised Framework into account in reaching my decision.

Main Issues

19. Having regard to the matters above, I consider the main issues to be the Council's five year housing land supply position and the overall planning balance.

Reasons

Background

20. Spencers Wood is located to the south of Reading from which it is separated by the M4 motorway. The site is about 2.9 hectares in area and is mostly utilised for general grazing purposes. The site frontage is occupied by an existing residential property with a domestic garage. Access to the site is from Basingstoke Road. The frontage dwelling lies within the defined settlement limits for Spencers Wood, but the majority of the site falls outside.
21. To the west of the site is agricultural land which is the subject of an extant planning permission which allows its conversion from agricultural land to a SANG. The approved access is from Basingstoke Road and runs along the southern edge of the appeal site.
22. To the north the site is bound by a tree lined access road which serves the dwellings at Wellington Court. To the south it benefits from a tree-lined boundary with office commercial development at Highlands beyond.
23. The appeal site is not subject to any landscape designations or protection. The previous Inspector found that it was not a valued landscape. Based on the illustrative plans and other information submitted to the inquiry, he was satisfied that the proposal would be unlikely to have an adverse impact on the off-site oak trees. He also found that there would be sufficient separation between the Wellingtonia and the proposed dwellings to avoid any harm during construction, or give rise to undue pressure from future residents for their removal. He was however, concerned that the proposal would give rise to the loss of some of the trees protected by the TPO.
24. He found that the site contributed to the local landscape as well as the setting of Spencers Wood Village. He considered that although the site was fairly well contained, the proposed dwellings and associated infrastructure would be perceptible from Basingstoke Road and The Square, as well as from the neighbouring private property. He also considered that the proposal would be at odds with the small scale incremental development that this part of the village has traditionally experienced. Overall, He concluded that the proposal would have a detrimental effect in terms of landscape character and visual impact, and would include the loss of some on-site trees, but that such harm would be limited.
25. I agree with the conclusion of the previous Inspector in relation to this matter. At the time of my site visit, I noted that views of the appeal site from Basingstoke Road were confined to a short distance to the south of the appeal

site, whilst views from Wellington Court would be substantially screened by the existing trees and proposed woodland buffer.

Development Plan Context

26. The development plan comprises the Core Strategy (adopted January 2010), the Managing Development Delivery DPD (MDD) (adopted February 2014) and the Shinfield Neighbourhood Plan (February 2017). The Council is currently preparing a Local Plan, but it is still at an early stage in the plan-making process and I am unable to afford it any weight.
27. The Council does not seek to rely on the housing requirement within the Core Strategy or policy CP17. At the time of the inquiry the parties agreed that the housing requirement and housing land supply should be assessed against an Objectively Assessed Need (OAN) of 894 dpa. The recently published Framework states that in order to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
28. The Council state that using the standardised methodology the housing requirement reduces from 894 dpa to 864 dpa. It advises that this figure is based on the 2014 household projections and the affordability ratio published in April 2017. It anticipates that the household projection figures to be published in the autumn may reduce the figure further. Notwithstanding this, at the inquiry, and in Mr Croucher's evidence, the Council stated that using the standardised methodology the figure would be 876dpa. There has been no change in the household projections or the affordability ratio since the date of the inquiry. I therefore prefer the figure of 876dpa which was submitted to the inquiry and is also the figure within the HLSS.
29. The Government notes that the revised projections are likely to result in the minimum need numbers generated by the standardised method being subject to a significant reduction, once the relevant household projection figures are released in September 2018. However, in the housing white paper it was clear that reforms set out (which included the introduction of a standard method for assessing housing need) should lead to more homes being built. In order to ensure that the outputs associated with the method are consistent with this, the Government states that it will consider adjusting the method after the household projections are released in September 2018.
30. Policy CP3 sets out the general principles for development. Amongst other matters it requires proposals to avoid a detrimental impact on important ecological, and landscape features. Policy CP9 requires proposals to reflect the existing or proposed level of facilities and services at, or in, the location, together with their accessibility. It states that development will be acceptable within the modest development locations which include Spencers Wood. The accompanying text states that such development should be within the development limits of such locations. Policy CP11 restricts development outside of development limits in order to protect the separate identity of settlements and maintain the quality of the environment. It also states that development away from existing development limits is likely to lead to the increased use of the private car.

31. Although the MDD was adopted following the publication of the 2012 Framework, it seeks to deliver the policies and housing requirement within the Core Strategy. MDD policy CC01 reflects the presumption in favour of sustainable development within the Framework, whilst policy CC02 also restricts development to the settlement boundaries.
32. At the inquiry the appellant submitted that policies CP9, CP11 and CC02 were out of date since they rely on the settlement boundaries necessary to deliver the Core Strategy housing requirement, rather than the higher OAN figure. Although the standardised housing requirement figure is lower than the OAN agrees at the inquiry, it still substantially exceeds the Core Strategy requirement.
33. The Spatial Vision for Wokingham Borough includes the provision of a good transport system, concentrating developments in Strategic Development Locations (SDLs), and towns and villages with a significant range of infrastructure, whilst respecting the character and attractiveness of the area. Policies CP9 and CP11 contribute to this strategy through directing development towards accessible locations with a range of services and facilities (CP9), and seeking to maintain the separate identity of settlements and reduce dependency on the use of the private car (CP11). I consider both policies to be broadly consistent with the aims of the Framework. Nevertheless, the settlement boundaries on which they rely were predicated on a much lower housing requirement and therefore the weight to be afforded to these boundaries is limited, nonetheless, the proposal still falls to be considered against the aims of these policies.
34. The Shinfield Neighbourhood Plan was made in February 2017, following the previous appeal decision. The appeal site is included in the Neighbourhood Plan Context Map and is identified as an approved development expected to be delivered during the lifetime of the plan. However, this is not an allocation, but is a reflection of the quashed decision, which was extant at the time the Neighbourhood Plan was adopted. The Neighbourhood Plan is supportive of development within the development limits, but development adjacent to these limits is only supported where the benefits of the development outweigh its adverse impacts.
35. The Council refer to Court of Appeal Decision *Gladman Developments Ltd v Daventry DC v SoS CLG [2016] EWCA Civ1146*. This considered two development plan policies that restricted development to the village confines and resisted development within the open countryside. Both policies were saved pursuant to a direction from the Secretary of State in 2007. It was held that the policies were not necessarily inconsistent with the 2012 Framework simply because they were adopted under a superseded Structure Plan. It was found that they remained part of the development plan and they should be assessed on the basis of their consistency with the Framework as a whole, which encouraged plan-led decision making. I have adopted this approach above and consider it to be consistent with paragraph 213 of the Framework.

Housing Land Supply

36. The parties agree that the housing requirement within the Core Strategy is not up-to-date. At the inquiry it was assessed, against an OAN of 894 dwellings per annum with a base date of 1 April 2013, whilst the housing land supply was

assessed from a base date of 1 December 2017. It was agreed that here was a shortfall of 537 dwellings for the five year period ending 30 November 2017.

37. The Sonning Golf Club Inspector² expressed concern regarding the level of completions in the current Housing Land Supply Statement (HLSS). Whilst Ms Mulliner expressed similar concerns about the robustness of the completion figures within the HLSS, no substantive evidence was submitted to the inquiry to suggest that the level of completions was significantly lower than that within the HLSS. The number of completions was agreed by the parties in the Statement of Common Ground.

Buffer

38. Paragraph 73 of the Framework states that the supply of specific deliverable sites should include a buffer moved forward from later in the plan period. Where there has been a significant under delivery of housing over the previous three years, the buffer should be 20% to improve the prospect of achieving the planned supply. From November 2018 this will be measured against the Housing Delivery Test.
39. The Council has assessed previous delivery against the Housing Delivery Test Measurement Rule Book and concluded that 151% of the requirement has been delivered. I have some difficulty with the Council's figures in that the number of completions does not accord with the HLSS. Notwithstanding this, the Housing Delivery Test does not come into effect until November 2018, I therefore consider that the Council's delivery record should be assessed against paragraph 73 of the Framework.
40. When assessed against the requirement of 894 dpa within the HLSS, and on the basis of the last three complete years, 2,025 dwellings have been delivered against a requirement for 2,682. This represents a significant under-delivery. The extent of under-delivery remains significant even if the lower standardised housing requirement figure is applied retrospectively. Nevertheless, the most recent HLSS indicates that there were 1,122 completions over an 8 month period. The Council suggest that in future years the requirement will continue to be met or exceeded as the larger development sites start to deliver dwellings. If the year 2017/18 is used rather than the year 2015/16 the requirement would be met, even in the absence of any further completions after November 2017. In these circumstances, and having regard to the purpose of the 20% buffer, namely to improve the prospect of achieving the planned supply, I consider that, on balance, a 5% buffer is appropriate.

Housing Land Supply

41. The Council submits that it has a deliverable supply of 7,023 dwellings. Based on a minimum requirement of 876 dpa and a 5% buffer this equates to a 7.64 year supply of dwellings. The appellant disputes the delivery from a number of sites, primarily those within the Strategic Development Locations.
42. The glossary to the Framework states that 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. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission

² APP/X0360/W/17/316/7142

expires, unless there is clear evidence that homes will not be delivered within five years. Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

43. At the inquiry the Council submitted that deliverable should be interpreted in accordance with the Court of Appeal judgement in *St Modwen Developments Ltd v SSCLG, East Riding of Yorkshire Council and Anor* [2017] EWCA Civ 1643. It considers that if a site is capable of being delivered it is deliverable. This position is reflected in the Council's HLSS. I agree that in order for a site to be deliverable this does not mean that there needs to be certainty that it will be delivered. Nonetheless, the Framework, which post-dates the *St Modwen* Judgement, requires there to be '...a realistic prospect that housing will be delivered on the site in the next five years....'. This goes beyond whether a site is capable of delivery, and as set out in the Judgment is fact sensitive. I have therefore approached whether a site is deliverable in accordance with the definition within the Framework.
44. The Council's housing land supply is predominantly derived from large sites with planning permission. It anticipates that these will deliver 6069 dwellings over the five year period. The Council explained that it has adopted a more robust approach to the assessment of whether housing sites are likely to be delivered than in the past. This includes sending letters and emails to developers requesting progress updates and visits to large sites with planning permission to ascertain whether development has commenced or been completed and seeking information from the site manager regarding anticipated delivery.
45. The Council has also set up a specialist Delivery Team to progress The Strategic Delivery Locations which make up a high proportion of the housing land supply. The HLSS explains that where the developer/landowner provides completion and projected delivery information the Council critically appraises it against historic delivery rates and specific knowledge of the site and the rates are adjusted accordingly.

Disputed Sites

46. *Arborfield Garrison/Arborfield North* Outline permission was granted for 2,000 dwellings in March 2015. Temporary planning permission, for a period of 9 years from February 2017 was granted for use of part of the site as a film studio. As a consequence, the remainder of the site is able to accommodate 1,750 dwellings. The site is divided into a number of smaller plots, several of which benefit from reserved matters approval. The Council suggests that together the sites that comprise *Arborfield North* will deliver 1,248 dwellings over the five years to November 2022.
47. The appellant does not dispute the number of dwellings to be delivered on the sites with reserved matters approval, but considers the delivery on the residual parts of the site to be unrealistic. The Council's figures suggest that the residual sites will deliver 385 dwellings over the five year period. Of these 120 completions are projected to be delivered by December 2019.
48. The Council's figures are derived from information provided by Crest Regeneration. Whilst Crest Regeneration is developing some of the parcels of

land and providing infrastructure across the scheme, some of the sites to which it refers will be developed by others. It submitted projected completion figures, which include the residual sites, however, the basis for these figures is unclear. The Council suggest that since the infrastructure is to be delivered by Crest Nicholson Regeneration, the delivery of houses may be quicker than at present, but no evidence has been submitted to support this view.

49. It is agreed by the parties that there will ultimately be four developers on the site, although there are only three at present. Based on average delivery rates of about 55.3³ dwellings per developer a year the overall delivery rate would be about 221 dwellings a year across the entire site. The figures within the Council's trajectory, which are consistent with those put forward by Crest Nicholson Regeneration, are considerably higher for the years 2018/19 and 2019/20. Reserved matters applications have not yet been submitted for the residual part of the site. The Housing Land Supply Statement suggests that the average time from approval of reserved matters to first sale on sites of this size is 17.7 months. I therefore consider the Council's trajectory to be overly optimistic, and that the first dwellings on the site are unlikely to be delivered before 2019/20. Even on this basis the projected delivery of 310 dwellings for 2019/20 would appear to be unrealistically high. In the absence of any justification for this figure, I consider that an overall figure consistent with the Council's usual delivery rates is more realistic.
50. The evidence does not support that there is a realistic prospect that the number of dwellings in the Council's trajectory will be delivered in the five year period. I therefore conclude that the delivery from this site should be reduced by 120 dwellings for the year 2018/19 to allow for the submission and determination of the reserved matter application and by 89 dwellings for the year 2019/20 due to reflect more realistic build out rates. Accordingly the number of dwellings delivered from this site should be reduced by 209.
51. Arborfield Garrison/ Hogwood Farm Outline planning permission for 1,500 dwellings was granted in January 2017. The Council advise that a reserved matters application is anticipated later this year. The Council expects the first dwellings to be delivered between December 2019 and November 2020. The owners of the site, Legal and General have indicated that they intend to use a modular building system, which should allow for faster construction rates. They also anticipate that two phases of the development will be operational at any one time. The delivery rates anticipated by the developer are reflected within the Council's HLSS.
52. The appellant considers these rates to be unrealistically high, particularly since Legal and General does not have a track record of delivery within Wokingham. Although there is only limited information available, the response from the developer has taken account of the site constraints and delivery of infrastructure. Whilst the delivery rates seem high, due to the modular construction method, it is possible that the delivery rates would be higher than the average rates relied upon by the appellant, particularly given that there may be two phases of development. I therefore do not consider that the figures in the Council's trajectory need to be adjusted.
53. South of the M4 The Council anticipate that this site will deliver 587 dwellings over the five year period. The appellant considers that this figure should be

³ Five Year Housing Land Supply Statement Table 3.4

- reduced by 100 dwellings due to the delivery rates put forward by the Council. Overall the outline permission provides for 900 dwellings, of these, 818 will be delivered by reserved matters applications. Three of the sites with reserved matters are under construction. There are only 24 dwellings outstanding at land North of Hyde End Road, Spencers Wood, and these are expected to be completed this year.
54. Construction has commenced on land north of Church Lane and the Council's trajectory reflects its average build out rates. The Council has used a higher rate for land North of Croft Road on the basis that there are two developers. The Consortium responsible for the South of the M4 did not respond to the Council's request for information and the delivery rates were provided by the Council's delivery team. The comment under achievable would appear to be incorrect in that it refers to three site managers and completion by the end of 2017/18. This does not accord with the trajectory.
55. When taken together the trajectory for these sites anticipates 155 dpa for 2018/19 and 2019/20 and 135 dwellings during 2020/21, although there are only two developers for this period. The Council suggested that these rates were realistic since one of the sites is geographically separate from the other and therefore it could be treated as a separate site. There is no evidence to suggest that the developer concerned intends to adopt this approach. In the absence of any supporting evidence from the developers there does not appear to be a credible basis to depart from the Council's average delivery rates or indicate that there is a realistic prospect that the number of homes within the Council's trajectory will be delivered in the five year period. Therefore on the basis of the information available I agree with the appellant that the delivery from this site should be reduced by 100 dwellings to reflect the average delivery rate.
56. Land to the West of Shinfield Outline planning permission was granted for 1,275 dwellings. A further outline planning permission was granted at appeal for 1200 dwellings and 150 units of specialist residential accommodation. The Council expects this site to deliver 973 dwellings over the five year period. Reserved matters have been approved for two parts of the site, and the appellant does not dispute delivery from these. The concern is with the residual dwellings which the Council suggest will provide 233 dwellings.
57. An application for reserved matters in respect of 80 extra care units (Use Class C2) within the residual part of the site has recently been submitted. On the basis of the guidance at PPG paragraph ID: 3-037-20150320 I am satisfied that these units contribute to the supply of housing land.
58. At the present time there are three developers on the site and the Council's trajectory is based on its average build out rates for those parts of the site with reserved matters approval. The Council anticipates that delivery from the residual part of the site will be 68 dwellings in 2020/21 and 155 dwellings in 2021/22.
59. I accept that some dwellings are likely to be delivered on the residual part of the site, particularly in the light of the recent planning application. Notwithstanding this, there does not appear to be any evidence to support the scale of delivery within the HLSS. The Council suggest that this area will be developed more quickly because it forms part of the District Centre. It is possible that the Care Home units will be built by a different developer and

therefore the delivery rate may be higher than that suggested by the appellant, which assumes three developers across the entire site. Notwithstanding this, care homes, unlike market housing, are often delivered as a single development when all the dwellings and facilities are complete. Moreover, the provision of the additional facilities associated with a care home could add to the construction period.

60. Therefore based on the information submitted to the inquiry, I consider that the Council's average delivery rate of 55 dwellings a year should apply to the residual part of the site, and that the overall delivery from this site should be reduced by 113 dwellings.
61. CP19 South Cutbush Lane and North Arborfield Road These sites are allocated for development, Bellway Homes the prospective developer advises that the first legal completions on Cutbush Lane will be in August 2020, and October 2021 for the North Arborfield Road site. The developer advised that the sites would deliver about 40-50 dpa due to a shortage of labour and a tougher sales market
62. The Council's trajectory anticipates that 175 dwellings across both sites will be delivered by the end of the five year period. These sites are allocated for development, but at the time of the inquiry an application had not been submitted. I understand that a full planning application has recently been submitted in respect of the Cutbush Lane site.
63. The Council's trajectory shows 100 dwellings across both sites will be completed in the final year. The appellant considers this to be unrealistic in that the sites are adjacent to each other and there would be only one developer. It considers the trajectory should be revised downwards by 45 dwellings in the final year and 3 the previous year. It is clear from the evidence submitted by the developer that various factors have been taken into account in arriving at this trajectory, and the developer will be aware of the proximity of the two sites. I therefore do not consider that it should be treated as a single site. However, I consider that in the absence of any planning permission, or application in the case of the North Arborfield Road site, that these trajectories fall short of the requirement for clear evidence that housing completions will begin on these sites within the next five years. The Council relies on the upper end of the developer's suggested completion rate, I consider that the appellant's figures to be more realistic. Accordingly the delivery from this site should be reduced by at least 48 dwellings.
64. I am aware that the Sonning Golf Club Inspector, did not consider that any dwellings would be delivered from the Cutbush Lane Site over the five year period. However, his conclusion was based on the information before him, but the information submitted to me, for the reasons explained above, leads me to a different conclusion.
65. Matthews Green, North Wokingham Outline planning permission was granted in April 2015 for 760 dwellings. 572 dwellings will be delivered by reserved matters. The appellant does not dispute that the dwellings permitted as part of Phases 1, 2a, 2b and 3 will be delivered within the five year period, but suggests that the delivery in Phases 2b and 3 will be slower than in the Council's trajectory. The number of dwellings delivered in Phase 4 and the number of residual dwellings to be delivered in the five year period is also disputed.

66. In terms of Phase 2b, the Council advises that the 68 remaining dwellings are under construction and it expects the site to complete in the current monitoring year. This is based on information from the developer. I note that the trajectory in the previous HLSS, which was also based on information from the developer, indicated that 16 dwellings would be completed in the period April 2017 – March 2018, and 50 dwellings the following year, with the final 7 during the period April 2019 to March 2020. It would seem that only 5 dwellings were completed during this period, and when this figure is adjusted to take account of the different dates for the monitoring periods, this falls short of the expectations for the previous year. Whilst this figure of 68 dwellings seems optimistic, I note that all of the dwellings are currently under construction, and I therefore consider that although the projected completions are optimistic, there is a realistic prospect that they could be completed within the current monitoring year.
67. Reserved matters in respect of Phase 3 were approved in July 2017. The Council expects 45 dwellings to be delivered in the current monitoring year and 29 the following year. These figures are based on information received from the house builder and I see no justification to depart from them, particularly since they accord with the Council's average rates for such sites.
68. The Council resolved to grant permission for Phase 4 in February 2018. It anticipates that the first dwellings will be delivered between December 2018 and November 2019, with the first full year of completions in 2019/20. The appellant considers that the first dwellings will be delivered in 2019/20. I consider the Council's trajectory to be optimistic but achievable.
69. In terms of the residual part of the site, the Council has assumed that 188 dwellings will be delivered over the final three years of the period, whereas the appellant considers that no dwellings will be delivered. The justification for the appellant's approach is that Phase 4 and those on the residual land are due to be delivered by a single housebuilder. The evidence as to whether the same housebuilder will be involved at Phase 4 is unclear at the present time. Based on the evidence submitted to the inquiry I consider that the rates within the HLSS are achievable.
70. South Wokingham The site is expected to deliver 1,840 dwellings, the HLSS indicates that 44 of these dwellings will be delivered during the five year plan period. The appellant considers that no dwellings will be delivered due to the complexities of the site.
71. It is evident that the Council has been in discussion with the consortium due to develop this site for over two years, but an application is not yet forthcoming. The evidence submitted to the inquiry indicates that there are a number of complexities with the site, these include a restrictive covenant that prohibits development and the site is located within 5km of the Thames Basin Special Protection Area. It would seem that the Council is willing to lift the covenant subject to a number of commitments from the consortium, including the provision of land for the Southern Distributor Road and an undertaking to submit a planning application by 30 September this year. The evidence suggests that there has been some progress towards the release of the restrictive covenant, however, it remained in place at the time of the inquiry. The Consortium does not intend to appoint a consultant team until it was satisfied that the covenant would be lifted.

72. In the light of the People Over Wind Judgement an appropriate assessment would also be necessary. There would also need to be a stopping up order. If this gave rise to objections a public inquiry would be required which would add to the timescale. On the basis of the available evidence I am doubtful that the site will deliver any houses within the five year period. Therefore 44 dwellings should be removed from the housing land supply. I appreciate that the Council's projection is considerably lower than those previously put forward by the Consortium. However, the Consortium's latest position is that it is unable to provide any advice as to likely completions in the next five years. Accordingly, on the basis of the submitted information I am not persuaded that there is a realistic prospect of delivery on this site within the five year period.
73. *Hatch Farm Dairies* The HLSS anticipates 356 dwellings delivered from this site over the five year period. The appellant considers the delivery rate in the years 1-3 to be unrealistically high, based on past performance. It is suggested that the site will only deliver 300 dwellings. There are two developers on site, and during the period April 2017 – November 2017 45 dwellings were completed (67.5 dpa). The appellants suggested trajectory applies a figure of 60 dwellings per annum, however if 67.5 dpa is used 338 dwellings would be delivered over the five year period. This would only be 18 dwellings short of the Council's trajectory. Given that there are two developers on site I consider that here is a realistic prospect that these houses could be delivered within the five year period. I have taken account of the appellant's view that the delivery rates would decline over the winter period, but there is no evidence to suggest that this is not reflected in the projected delivery rates.
74. *Prior Approvals* The appellant also contests delivery from a number of Prior Approvals sites, on the basis that they are not available. Ilex House and Rosa Building are expected to provide 78 dwellings. Prior approval was granted in respect of both sites in September 2016. Both sites remain in business use and there is no indication from the owners that they intend to implement the Prior Approval Consent.
75. The Riseley Business Park is also occupied, and a letter from the agent states that it is intended that the rear part of the site will be retained in commercial use. Therefore there is no realistic prospect that the 26 dwellings on this part of the site will be delivered in the five year period.
76. I agree with the appellant that these sites are not available now and based on the information submitted to the inquiry there is no realistic prospect that that housing will be delivered on these sites in the next five years. I therefore conclude that 104 dwellings should be removed from the housing land supply

Overall Housing Land Supply Conclusion

77. The Council's position is that it has a housing land supply sufficient to deliver 7,023 dwellings. I have found above that this figure should be reduced by 618 dwellings, giving a housing land supply sufficient for 6405 dwellings. I therefore conclude that the Council has a housing land supply of just under 7 years housing land supply, including a 5% buffer.

Other Matters

Affordable Housing

78. The Framework requires strategic policies to make provision for housing, including affordable housing. It also requires an assessment of the housing needs of different groups, including those who require affordable housing, and the type of affordable housing required. The proposal would deliver 23 affordable homes in accordance with Core Strategy policy CP5.
79. Policy CP5 seeks affordable housing contributions from developments of 5 dwellings or more. The Council's Affordable Housing Position Statement notes that national planning guidance restricts affordable housing contributions to developments of 10 or more dwellings. The Council nevertheless considers there are specific and genuine local circumstances that justify an exception to national policy and guidance, due to the exceptional need for affordable housing within the Borough. It confirms that the 2016 Berkshire Housing Market Assessment (SHMA), shows a need of 441 affordable homes (net) per annum. It concludes that due to the acute affordable housing need the Core Strategy Policy CP5 threshold of 5 dwellings carries considerable weight and will continue to be applied.
80. The Issues And Options Consultation Document in relation to the emerging Local Plan states that the Borough has a significant need for affordable housing and that this will continue to be high over the plan period. It refers to the SHMA which confirms a net need for 441 affordable homes per annum for the period 2013-2026.
81. The Council suggest that the figure of 441 dpa cannot be relied upon to assess the extent of the existing need for affordable housing in the Borough, since affordable housing is a component of the overall OAN figure and informed the extent of the uplift to the OAN. The Council rely on the SHMA figure to justify an exception to national policy, and in the absence of any alternative figure I consider that it provides a reasonable indication as to the extent of the need for affordable housing in the Borough.
82. The Council's Housing Strategy '*Housing Facts & Figures April – September 2017*', indicates that the delivery of affordable housing has consistently fallen well below the figure of the 441dpa. Evidence submitted by the appellant suggests that the need for affordable housing has increased significantly since the time of the previous inquiry (from 1,400–1,900). I note the Council's view that there is no definitive figure for affordable housing need within the Borough. I find this surprising given the Council's justification for an exception to national policy, as well as the requirement within paragraph 47 of the 2012 Framework to meet the full objectively assessed need for market and affordable housing and to illustrate the expected rate of delivery for market and affordable housing. Such a figure will be required as part of the housing requirement in order to comply with the Framework.
83. Notwithstanding this, it is evident that there is a clear mismatch between the SHMA figure and the number of affordable dwellings delivered in recent years. On the basis of the submitted evidence I conclude that there is a considerable and growing need for affordable housing within the Borough. In these circumstances I consider that the provision of affordable housing is a significant benefit of the proposal.

Thames Basin Heath Special Protection Area.

84. The appeal site lies within 5 km of the Thames Basin Heaths Special Protection Area (the SPA), which is an internationally designated site of nature conservation importance, with special reference to ground nesting birds, namely the Nightjar, Woodlark and Dartford Warbler. The SPA is protected by the Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations).
85. Regulation 63 of the Habitat Regulations states that a competent authority, before deciding to grant planning permission for a project which is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.
86. In order for development to be acceptable, these regulations require it to demonstrate that it will have no likely significant adverse effect on the SPA, either alone or in combination with other proposals. If it cannot, measures must be proposed to remove the impact, or the proposal should be refused.
87. The Habitats Regulations Assessments of the South East Plan and the Core Strategy found that the cumulative effect of additional residential development within 5km of the SPA would be likely to have a significant effect, particularly when considered in combination with other projects. The appeal scheme is not directly connected with, or necessary to, the management of the SPA and therefore an appropriate assessment is required.
88. The conservation objectives of the SPA are to maintain in favourable condition the habitats for breeding populations of three rare bird species: Dartford warblers, woodlarks and nightjars, which nest on or near the ground and are as a result, very susceptible to predation and to disturbance from informal recreational use, especially walking and dog walking. Research demonstrates that all three bird species are vulnerable to impacts on breeding success from surrounding urban pressures, in particular, recreational disturbance.
89. Various studies have found that public access to the SPA has led to an increase in damaging recreational use, the introduction of incompatible plants and animals, soil erosion, disturbance by humans and pets, and an increase in wild fires, amongst other factors. Research has confirmed that 70% of visitors to the SPA travel from within 5km. Therefore in the absence of mitigation the risk of harm to the integrity of the SPA cannot be excluded.
90. Policy NRM6 of the South East Plan indicates that the impact of such development can be mitigated through a combination of measures including managing access to the SPA and the provision of SANG to meet Natural England's standards. These standards form part of the Council's Impact Avoidance Strategy for Residential Development upon the Thames Basin Heath Special Protection Area.
91. The proposed mitigation includes the provision of a SANG adjacent to the site. The SANG would be about 12 hectares in area. Planning permission was granted for the SANG in 2017 and it would be secured by the s106 Agreement. The Council is satisfied that the proposed SANG will meet the necessary

standard. Therefore having regard to the proposed mitigation, I am satisfied that the proposal would not have an adverse effect on the integrity of the Thames Basin Heath SPA, either alone, or in combination with other projects.

Accessibility to Services

92. Although the majority of the site is situated outside of the settlement limits, the site is centrally located relative to the existing village. It stands reasonably close to a range of shops and services within Spencers Wood. These include a restaurant, a church, a village hall, a primary school, a library, a preschool, a veterinary practice, a petrol station and shops including a post office.
93. Cycleways provide the opportunity to cycle into Reading from Spencers Wood. In addition, there are a number of commercial and business uses within Spencers Wood, including those at the Wellington Industrial Estate. There are bus stops within 200 metres of the site entrance on both sides of Basingstoke Road. However, there is no footpath access to the south of the site leading to the bus stop on the west side of Basingstoke Road. A footpath link from the site to this bus stop is to be provided by the appellant or secured by way of the s106 agreement. Bus services run through Spencers Wood and provide access to Reading and other nearby settlements.
94. I therefore conclude that the appeal site occupies an accessible location, close to a range of services and employment opportunities. Consequently, the proposal would be consistent with policy CP9 of the Core Strategy in all respects, other than the conflict with the settlement boundary.

Location of Development

95. Policy CP11 restricts development outside of development limits in order to protect the separate identity of settlements and maintain the quality of the environment. It also states that development away from existing development is likely to lead to the increased use of the private car
96. The previous Inspector found that the proposed dwellings and associated infrastructure would be perceptible from Basingstoke Road and the Square, and would be at odds with the small scale incremental development that this part of the village has traditionally experienced. He did not conclude that the proposal would erode the separate identity of the village, or give rise to any merging with a nearby settlement. Due to the self-containment of the site public views would be confined to a short length of Basingstoke Road to the south of the site, and from The Square, which is located opposite the appeal site. Therefore the impact of the proposal would be very localised.
97. The appeal site is not located away from existing development, and for the reasons given above, would not be likely to lead to increased dependence on the use of the private car. Therefore the proposal would be broadly consistent with the aims of policy CP11, although it would be located outside of the development boundary.

Country Park and Footpath

98. The proposal would deliver 12 hectares of Country Park and a new footpath link. The park would be available to the general public. The proposed footpath link through the site would facilitate a circular walk from the village. It would be managed in a manner to preserve and enhance biodiversity, including the

creation of a range of habitats. This would contribute to the social and environmental dimensions of sustainability.

Overall Planning Balance

99. Planning law requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework is one such material consideration and confirms that the development plan is an essential component of the plan-led system. Since the Council is able to demonstrate a five year supply of housing land, and the proposal is subject to an appropriate assessment, the tilted balance within the Framework is not engaged.
100. The appeal site is located outside of the defined development limits for Spencers Wood and in this regard the proposal conflicts with policies CP3, CP9 and CP11 of the Core Strategy. As found by the previous Inspector there would be some limited harm in terms of landscape character and visual impact, although this would be very localised. Therefore there would be some conflict with policy CP3 and CP11 in this respect. The proposal would occupy an accessible location close to a range of facilities and services. It would therefore be consistent with the aims of policy CP9. It would also be consistent with the aims of policy CP11 in so far as it would not detract from the identity of Spencers Wood or lead to the increased use of the private car.
101. The proposal would provide benefits in terms of the delivery of housing within an area where there is an existing shortfall in housing delivery, and an increasing and acute need for affordable housing. The Council suggest that since the proposal will only deliver a policy compliant level of affordable housing this consideration should not outweigh the conflict with the development plan. The provision of affordable housing is a matter to be weighed in the overall planning balance. Given the considerable and increasing need for affordable housing, and the Council's view that the only means by which affordable housing can be delivered is as a component of market housing, I consider this to be an important benefit of the proposal and I afford it significant weight. The delivery of market and affordable housing would contribute towards the social dimension of sustainability through the provision of dwellings to meet the needs of present and future generations.
102. I have found above that subject to the provision of the SANG, the proposal would not harm the integrity of the Thames Basin Heath SPA. The management of the SANG would broaden the range of species, including invertebrates on the site, the proposed pond would be a further ecological enhancement and would weigh in favour of the proposal. There would also be a benefit in terms of the provision of a publicly accessible country park and pedestrian access to the bus stop.
103. Economically, the development would bring short-term advantages in respect of jobs. In the longer term it would increase household spending within locality. It would also support economic growth through the provision of housing and the creation of jobs in local services to meet the additional demands arising from the development.
104. The weight to be afforded to the settlement boundaries is limited in that they were derived from policy CP17, which sought to meet a much lower housing requirement by comparison with the OAN. I do not consider that the

proposal would conflict with policy 1 of the Neighbourhood Plan in that the benefits of the proposal would outweigh its adverse effects. I consider that having regard to the Spatial Vision of the Core Strategy the proposal complies with the development plan as a whole.

105. Overall I conclude that the benefits of the proposal significantly outweigh the conflict with the settlement boundaries and the limited harm in terms of landscape character and visual impact.

Conditions

106. I have considered the suggested conditions in the light of discussions at the inquiry, the advice at paragraphs 203 and 206 of the Framework and the PPG, including the advice in relation to pre-commencement conditions.

107. The proposal has been submitted in outline and I agree that reserved matters in relation to appearance, landscaping, layout and scale should be submitted for approval. The proposal should be implemented in accordance with the approved plans.

108. In order to safeguard the living conditions of surrounding residents the hours of construction should be limited. A Construction Management Plan should be submitted prior to the commencement of works in order to safeguard the amenity of surrounding residents, limit the effect of the proposal on the highway network and ensure that waste is managed appropriately.

109. The site lies within an area of archaeological potential. In order to ensure that any remains are adequately investigated and recorded, or preserved in situ, a programme of archaeological work is necessary. Due to the potential impact of any works associated with the development the scheme needs to be subject to a pre-commencement condition. The site is considered to be at low risk of contamination. However, given the potential risk to human health, I agree that that a condition requiring the site to be assessed for potential contamination is necessary.

110. An Arboricultural Method Statement was submitted with the application, and includes measures for tree protection within the root protection areas of the trees. Since this is an outline application the layout of the site may change from that shown on the indicative plan. Therefore an updated Arboricultural Method Statement is necessary, and this should include details of roads, service runs, and parking areas. A separate condition in relation to these matters is not necessary. The mitigation measures set out within the Ecological Appraisal are necessary in order to safeguard the biodiversity of the site. The ecological survey of the site found *Rhododendron Ponticum*, an invasive species on the site, and recommended that it be eradicated from the site. I therefore agree that a condition requiring a method statement for its removal and control is necessary.

111. In the interests of energy efficiency and in order to accord with MDD policy CC05 a scheme to provide 10% of the predicted energy requirement from renewable or low carbon sources is necessary. A Travel Plan is required in order to promote sustainable transport. The proposed access should be implemented prior to first occupation of the dwellings in the interest of highway safety. Details of foul and surface water drainage are necessary in order to

ensure satisfactory living conditions for future residents and ensure that the development is safe from flooding.

112. The previous decision included a condition requiring a range of matters to be submitted as part of the reserved matters. A separate condition specifying matters that come within the scope of reserved matters, including refuse storage, accessways or parking areas is not necessary. The Arboricultural Method Statement will detail the trees, shrubs and hedges to be retained. I am doubtful that the ecological permeability of the site would come within the scope of the reserved matters, it would however be included as part of the ecological mitigation and enhancement measures. Details of existing and proposed levels are necessary in order to ensure that the scheme integrates satisfactorily with its surroundings and I have imposed a separate condition in relation to this matter. An Employment Skills Plan does not come within the scope of the reserved matters, however such a Plan would accord with policy TB12 of the MDD. I have therefore imposed a separate condition.

Conclusion

113. For the reasons given above I conclude that the appeal should be allowed.

Lesley Coffey

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Saira Kabir Sheikh QC
Instructed by Shared Legal Solutions

She called

Sophie Morris	Delivery Manager North Wokingham
Emy Circuit	Delivery Manager South Wokingham SDL
Nick Chancellor	Delivery Manager Arborfield SDL
Ian Bellinger	Category Manager for Growth and Delivery
Mark Croucher	Senior Town Planner

FOR THE APPELLANT:

Gregory Jones QC
Instructed by Phillips Planning
Services

Paul Watson	Planning Consultant P.P.S.
Jacqueline Mulliner	Planning Consultant Terence O'Rourke

DOCUMENTS SUBMITTED AT THE INQUIRY

- 1 Supplemental Proof of Evidence Ian Bellinger
- 2 Housing Land Supply Statement submitted by the Council
- 3 Affordable Housing Position Statement submitted by the appellant
- 4 Statement of Common Ground in relation to Five Year Housing Land Supply
- 5 Statement of Common Ground in relation to Planning Matters
- 6 Attachment to Crest Nicholson email regarding projected Annual Starts and Completions submitted by the Council
- 7 Statements in respect of Affordable Housing submitted by the appellant
- 8 Extract from Wokingham Borough Local Plan Update Issues & Options Consultation Document (August 2016) submitted by the appellant
- 9 Request for Ruling from Wokingham Borough Council
- 10 Note regarding the Implications of the Shinfield Neighbourhood Plan submitted by the appellant
- 11 Witness Background Ian Bellinger
- 12 Screenshot from Wokingham Borough Council website showing Affordable Housing Position Statement
- 13 Copy of Planning permission for Eastern Gateway (South Wokingham Distributor Road) submitted by the Council
- 14 Copy of Reserved Matters Application for the Extra Care Unit submitted by the Council
- 15 Correspondence regarding restrictive covenant South Wokingham SDL submitted by the Council

- 16 People Over Wind Judgement submitted by the Council
- 17 Updated Statement of Common Ground in relation to Five Year housing land supply
- 18 Appellant's Updated housing land supply calculation
- 19 Council's updated housing land supply calculation
- 20 Shinfield Neighbourhood Plan Policy 1
- 21 Land West of Shinfield application details submitted by the Council
- 22 Gladman Developments v Daventry District Council Judgement submitted by the Council
- 23 Thames Basin Heath SPA Impact Avoidance Strategy submitted by the Council

DOCUMENTS SUBMITTED AFTER THE INQUIRY

- A Appeal Decision APP/X0360/W/17/3167142 submitted by the appellant
- B Appellant's further comments
- C Council's further comments
- D Appellant's comment on the Framework
- E Council's comments on the Framework

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Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Any applications for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development hereby permitted shall begin no later than two years from the date of the approval of the last reserved matters to be approved.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans, in so far as those plans relate to matters not reserved for future determination: Location Plan 043023 and Site Access Plan Drawing 4956-SK-001B Rev C.
- 4) Prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by, the local planning authority. The approved CMP shall be adhered to throughout the construction period. The CMP shall detail matters including:
 - Phasing of construction;
 - The site access junction works, including a timetable for their provision;
 - Lorry routeing and numbers;
 - Types of piling rig and earth moving machinery to be used;
 - Measures to mitigate the impact of construction operations on nearby residential properties;
 - Any temporary lighting;
 - The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials used in construction the development;
 - Security fencing where appropriate;
 - Measures to prevent mud from vehicles leaving the site; and
 - Measures to control the emission of dust, dirt and noise during construction
- 5) Construction work, including preparatory work prior to building operations, shall only take place between 0730 hours and 1800 hours Mondays to Fridays and 0830 hours and 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.
- 6) The development hereby permitted shall not commence unless and until:
 - a) A method statement for site investigation has been submitted to and approved in writing by the local planning authority (LPA) and the approved scheme is implemented;
 - b) The site investigation and associated risk assessment have been undertaken in accordance with the approved details; and
 - c) A method statement and remediation strategy, based on the information obtained from (b) above and including a programme of works, have been submitted to and approved in writing by the LPA.

- The development shall be carried out in accordance with the approved method statement and remediation strategy. In the event of any contamination of soil and/or ground or surface water being discovered during excavation or development of the site, the LPA shall be contacted immediately. Site activities in the area affected shall be suspended until such time as a method and procedure for addressing the contamination is approved in writing by the LPA.
- 7) No development shall commence until a programme of archaeological work (which may comprise more than one phase of work) has been implemented in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority.
 - 8) The mitigation, contingency, and enhancement measures contained within Section 6 of the Ecological Appraisal (Aspect Ecology August 2014) shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented prior to the first occupation of the dwellings hereby permitted, or in accordance with a timetable that has been previously approved by the local planning authority.
 - 9) No development or any other operations shall commence until an Arboricultural Method Statement (including a Scheme of Works) has been submitted to and approved in writing by the local planning authority. All development, works and operations associated with the approved development, including site preparation, roads, service runs, paths and parking areas shall be carried out in full accordance with the approved details.
 - 10) A method statement to address the removal and long term management of *Rhododendron Ponticum*, shall be submitted to the local planning authority and approved in writing by the local planning authority. The method statement should accord with best practice as outlined in DEFRA Environmental Management Guidance 2013 or subsequent updates and include a timetable for implementation. The approved scheme shall be implemented in accordance with the approved method statement prior to the first occupation of the dwellings.
 - 11) A scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.
 - 12) A Travel Plan to promote alternative forms of transport to and from the site, other than by the private car, shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall be implemented before the dwellings are first occupied.
 - 13) None of the dwellings shall be occupied until works for surface water drainage, management and disposal have been provided to serve the development hereby permitted in accordance with details to be submitted to and approved in writing by the local planning authority.
 - 14) None of the dwellings shall be occupied until works for the disposal of foul and storm water sewage have been provided to serve the

development hereby permitted in accordance with details to be submitted to and approved in writing by the local planning authority

- 15) Prior to occupation of any of the dwellings hereby permitted the approved access junction shall be provided in accordance with the details hereby approved.
- 16) Details of the existing and proposed ground levels showing any changes to levels, finished ground slab levels, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.
- 17) Prior to the commencement of development an employment skills plan to show how the development scheme accords opportunities for training, apprenticeships or other vocational initiatives to develop local employability skills shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.