

6 September 2023

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, colored red, set against a solid yellow square background.

Mr M Masiwa
West Berks District Council
Council Offices
Market Street
Newbury
RG14 5LD

Dawn Brodie
E: dawn.brodie@savills.com
DL: +44 (0) 1865 269 025

Wytham Court
11 West Way
Oxford OX2 0QL
T: +44 (0) 1865 269 000
F: +44 (0) 1865 269 001
savills.com

Dear Masie,

Amendment to application 23/00397/OUT - Section 73 - Application for Removal or Variation of a Condition following Grant of Planning Permission 17/02092/OUTMAJ - Hybrid planning application comprising an outline planning application for up to 93 dwellings and associated works - all matters reserved; a change of use of land from agricultural to public open space; a changes of use of land to provide extension to existing allotments; and a full planning application for the erection of 11 new dwellings, new access and associated works on previously developed land.

Land at Bath Road, Speen

I write further to the submission of the above application. The Applicant has considered the consultation responses received, in particular the comments from Highways Development Control and Speen Parish Council, and I am now instructed to submit a formal amendment to this application.

This amendment is supported by the following drawing(s) for approval.

- Drawing No: 0766-S73-1- 102 Revision A – Planning Layout
- Drawing No: 0766-S73-1-HTB Issue 4 – House Type Booklet
- Drawing No: 0766-S73-1-103 Revision A – Street Scenes
- Drawing No: 0766-S73-1-109 Revision A – Garages.
- 21-008 - Residential Travel Plan prepared by Odyssey dated
- Letter from Hyperoptic Limited Confirming Broadband Connection
-

The following documents have been submitted to aid consideration of the changes to the planning layout and to discharge condition 55 of the Hybrid Planning Permission (LPA ref no. 17/02092/OUTMAJ)

- Drawing No: 2099-10-01 Revision H – General Landscape Arrangement Plan
- Drawing No: 2099.10- 02 Revision H – Planting Strategy

The following documents have been submitted for information purposes only to aid consideration of the planning layout.

- Drawing No: 21-006/002 Revision J – Refuse Vehicle Swept Path
- Drawing No: 21-006/003 Revision H – Fire Tender Swept Path
- Drawing No: 21-006/004 Revision H – Car Parking Swept Path
- Nutrient Neutrality Statement prepared by EPR dated February 2023
- Foul Drainage Strategy prepared by Odyssey dated April 2022.
- CIL 1 Form – Additional Information

The Applicant wishes for all previously submitted information to be withdrawn.



The changes proposed in this amendment to address consultee comments can be summarised as follows:

- Changes to the previously proposed housing mix and tenure to accommodate three shared ownership affordable dwellings that meet Building Regulations Part M (Cat 2) and NDSS standards within the development. The remaining affordable housing provision needed to comply with the s106 will be provided within the larger 93 unit Reserved Matters application, currently being considered under 22/0123/RESMAJ;
- Parking provision has been increased to meet parking standards;
- Improvements to the relationship between dwellings and parking spaces;
- Unallocated parking spaces have been removed from the public highway and re-provided in a private drive that will be under control of the development management company;
- Private amenity space has been increased.

Appendix 1 contains a detailed plot by plot schedule of amendments for ease.

Appendix 2 contains a schedule of amendments relating to the discharge of conditions.

Response to highways comments

The Applicant responds to the Highways Development Control comments as follows:

Highways Standards and Adoption

All roads serving more than five dwellings will be offered for adoption as public highway i.e., the access and spine road. These remain unchanged from the consented scheme.

The two side roads serving plots 1-5 and 7-9 and associated unallocated parking spaces are proposed to be maintained by the same Management Company that will manage the public open spaces. The Management Company will be wholly owned and managed by the residents once established and purchasers will be advised of the annual fees from the outset.

Advanced Payment Code

The Applicant acknowledges that the advanced payment code will apply to this site.

Refuse collection

Bin collection points have been provided at locations that meet the drag distance requirements for waste operatives and residents and a refuse vehicle swept path drawing has been included for information, noting that submission of the details of storage for refuse and recycling will be provided at a future date to discharge the requirements of Condition 14

Parking Provision

Prior to the original submission of this application, the Applicant reviewed the pre-application advice given by Highways Development Control. The Applicant was of the belief that the submitted scheme complied with West Berkshire's parking standards, or at least provided comparable provision to the approved scheme in respect of the location of parking spaces in relation to the dwellings they served.

Notwithstanding this, the amended layout seeks to address the concerns most recently raised. Please refer to Appendix 1 for a plot by plot schedule of parking provision.

For the avoidance of doubt garages have not been counted towards the parking provision.

Section 278 and Access

The Applicant has made a S278 application to West Berkshire in relation to works within the adopted highway to implement the approved access for which full permission has been granted.

The Applicant is willing to continue to work with the Council and National Highways to progress this application and to secure Technical Approval. A Stage 2 Road Safety Audit (RSA) has also been submitted in support of this process and separate Stage 2 RSAs will be commissioned as part of the Section 38 application.

Nonetheless, it is important to be clear that the detailed design of the highway works are not part of the considerations of this application.

Layby

The Applicant welcomes the confirmation that the layby is no longer required and accordingly proposes that Condition 56 is removed as part of any forthcoming approval of this application.

Proposed Condition Amendments

A suite of information accompanied the initial submission of this application aimed at satisfying the requirements of many pre-commencement conditions of the Hybrid Planning Permission **17/02092/OUTMAJ**.

However, this amendment renders much of that information out of date. Rather than update all the relevant plans previously submitted, the Applicant is keen to focus on the alternative housetypes, layout changes and associated landscaping so wishes to narrow the focus of this application.

Thus, Appendix 2 contains a schedule of Condition Amendments, however in summary:

- The applicant wishes to now withdraw all of the information previously submitted from consideration to discharge conditions: 5, 9, 14, 15, 17, 19, 20, 21, 22, 23, 24, 28, 30, 32, 35, 42, 47, 48, 50, 53, 55, 56.
- The following conditions will now be dealt with separately at a later date: 5, 9, 14, 15, 19, 20, 21, 22, 23, 24, 28, 30, 32, 35,, 48, 50 and 53.

Therefore, the following conditions could be dealt with as follows:

- Condition 10 was approved as part of application 22/00889/COND6 and Condition 17 was approved as part of application 22/00890/COND17 so the wording of each of these conditions would need to be updated in order to become a compliance conditions if this application were to be approved.
- Condition 47 will need updating to reflect the drawing numbers the development shall be carried out in accordance with if this application were to be approved.
- Condition 54 will need updating to reflect the revised plot numbers and any revised requirements for obscure glazing.
- Condition 55 will need updating so the wording of this condition become a compliance condition should this application be approved.
- Condition 56 is no longer required and should be deleted as confirmation has been received from West Berkshire Highways that a vehicle parking space for a mobile speed camera is no longer needed.

Please refer to Appendix 2 for a detailed schedule.

Speen Parish Council Response

The Applicant has considered the objection to this application from Speen Parish Council and responds as shown in the below table:

Comment	Applicant Response
The level of detail submitted	<p>This is a Section 73 application to amend plans previously approved under the hybrid permission. The previous Section 73 application was previously submitted and refused on the basis it did not meet parking standards.</p> <p>This application has been to address those reasons for refusal. If permitted, it will substitute the approved planning layout and housetype plans.</p>
Cover letter misleading regarding alluding to a meeting request from Applicant to Speen Parish Council	This appears to be a misunderstanding for which the Applicant apologises. Since the submission of this application, a meeting with the Parish Council has now taken place.
The Landscaping plan is incorrect whilst the Housetype booklet and some elevations/floorplans are incorrectly labelled Lambourn Road	These drafting errors have been corrected in this amended submission.
The proposed bin collection arrangements	Two bin muster points are provided on private drives; one will serve plots 1, 2 and 4 while the other will serve plots 7, 8 and 9. All remaining plots will have their refuse collected from the spine road, in front of each dwelling. This provision complies with acceptable maximum drag distances for both residents and waste operatives.
CIL	<p>Amended CIL submitted.</p> <p>CIL is calculated on a £/sqm basis for all dwellings. Social Housing Relief is then applied for and deducted from the total, so effectively CIL is not payable on affordable housing. Splitting the site into separate applications does not affect the total amount of CIL payable.</p>
Noise impact assessment	The Applicant is confident that acceptable internal and external noise levels can be achieved through appropriately specified glazing and trickle vents. The details will be submitted to discharge condition 15 in due course.
4 unallocated spaces inadequate	On plot parking has been increased as well as unallocated spaces being provided. The scheme complies with Policy P1 following discussions with Paul Goddard (West Berkshire Highways Development Control Leader).
Concern about lack of detail on utilities	These are not generally matters for planning. We understand there to be capacity for foul waste at Newbury Sewage Treatment Works, but Thames Water will be legally obliged to deliver upgrades should they be needed. Further drainage details will be submitted to discharge conditions 12 and 13 of the original hybrid permissions in due course.
Plots with chimneys should have fireplaces	This is not a planning matter.
The location of parking spaces	Changes to this application include amendments to the planning layout (including changes to the housing mix) which have resulted in changes to the number and location of parking spaces proposed. The proposals comply with Policy P1 (Parking Provision). The Council parking standard is 2.5 spaces for 3, 4 and 5 bed dwellings. They

	require the 0.5 spaces to be provided in close proximity to the dwelling they serve. The unallocated parking spaces on a private drive serving plots 1-5 will be managed by the site wide development Management Company.
Rear fences	Changes to the layout have improved rear access paths to be less convoluted to reach the dwelling from bin storage locations and/or on plot parking spaces.
Bath Road access	This access has been approved and so is not for consideration as part of this application. The Applicant is progressing with a Section 278 agreement needed to be able to carry out construction works in the public highway.
Residential Travel Plan	This document has been approved and Condition 10 discharged. However, Travel Information Packs will be provided to all residents in accordance with Condition 16 and these will contain up to date information about travel options.
Noise survey	This report follows the approved methodology. The Applicant's standard window specification is sufficient to mitigate noise from Bath Road to an acceptable level. Any rooms directly fronting Bath Road will achieve acceptable levels with trickle vents for ventilation, but windows will remain openable. Full details will be submitted to discharge condition 15 in due course.

The Applicant considers that this amendment addresses the relevant concerns raised by the Parish Council.

Conclusion

The Applicant is comfortable that this amendment addresses all of the points raised by Highways Development Control consultation response. We are not aware of any objections to the alternative house types which are the focus of this application.

The Condition Amendments now proposed have been reduced in scope and the Applicant is confident that this application can now straightforwardly be approved.

I look forward to discussing this amended submission with you in due course.

Yours sincerely,



Dawn Brodie
Associate Director

Appendix 1 – Plot by Plot Schedule of Amendments

Plot Number	Amendment
1	<ul style="list-style-type: none"> Housetype change results in plot 1 becoming a detached dwelling but remains a 4 bed. Orientation of dwelling has shifted slightly to the east. 2 on plot spaces provided to front of dwelling plus integral single garage and half unallocated space provided opposite.
2	<ul style="list-style-type: none"> Housetype change results in plot 2 becoming a shared ownership 2 bed, end of terrace dwelling 2 on plot spaces are provided to the side of the dwelling. A much larger garden is provided (approximately 88m²)
3	<ul style="list-style-type: none"> Housetype change results in plot 3 becoming a shared ownership 2 bed, mid-terrace dwelling 2 on plot spaces are provided to the rear of the dwelling with direct access from garden Garden becomes longer
4	<ul style="list-style-type: none"> Housetype change results in plot 4 becoming a shared ownership 2 bed, end of terrace dwelling 2 on plot spaces are provided to the side of the dwelling. A wider garden is provided
5	<ul style="list-style-type: none"> Housetype remains as previously proposed but detached 2 on plot spaces are provided to the rear of the dwelling with direct access from the garden plus half an unallocated space is provided opposite the southern elevation Larger garden is provided
6	<ul style="list-style-type: none"> Housetype remains the same Extra parking space is provided resulting in 3 parking spaces to the side of the dwelling Change to garden shape and size
7	<ul style="list-style-type: none"> Housetype remains the same Car port removed and an extra parking space is provided resulting in 3 parking spaces to the rear of the dwelling with direct access from the garden No change to garden
8	<ul style="list-style-type: none"> Housetype remains the same Car port removed and an extra parking space is provided resulting in 3 parking spaces to the side of the dwelling with direct access from the garden No change to garden
9	<ul style="list-style-type: none"> Housetype remains the same Car port removed and an extra parking space is provided resulting in 3 parking spaces to the rear of the dwelling Minor change to garden shape and size
10	<ul style="list-style-type: none"> Housetype remains the same 3 on plot parking spaces are provided to the side of the dwelling plus a twinned garage with plot 11 (not included in the parking provision). Larger garden is provided as a result of relocating the parking spaces from the rear to the side of the dwelling
11	<ul style="list-style-type: none"> Housetype remains the same 3 on plot parking spaces are provided to the side of the dwelling plus a twinned garage with plot 10 (not included in the parking provision). Larger garden is provided by extending the garden to the side of the dwelling

**Appendix 2 – Schedule of Amendments to Conditions
23/00397/OUTMAJ – s73 application**

1.	Plans submitted for approval
2.	Plans submitted to discharge conditions
3.	Plans submitted for information

Plan/document	Author	Original ref	Amended ref	Comments
Coloured planning layout	Focus	0766-S73-1-102-COL	Withdraw	Reflects previous layout
Planning layout	Focus	0766-S73-1-102	0766-S73-1-102 A	
Materials layout	Focus	0766-S73-108	0766-S73-108 A	Withdraw and submit to discharge condition 53
Cycle storage plan	Focus	0766-S73-115	0766-S73-115 A	Withdraw and submit to discharge condition 34
Boundary treatments plan	Focus	0766-S73-114	0766-S73-114 A	Withdraw and submit to discharge condition 19
Refuse strategy plan	Focus	0766-S73-111	0766-S73-111 A	Withdraw and submit to discharge condition 14
EV charging plan	Focus	0766-S73-116	0766-S73-116 A	Withdraw and submit to discharge condition 9
Tenure Plan	Focus	0766-S73-112	0766-S73-112 B	Withdraw and submit to discharge condition 4
Street scenes	Focus	0766-1-s73-103	0766-1-s73-103 A	
Garages	Focus	0766-s73-1-109	0766-s73-1-109 A	
Carports	Focus	0766-S73-1-111	To be withdrawn	Carports no longer included in scheme

Plan/document	Author	Original ref	Amended ref	Comments
Housetype Booklet-A3L	Focus	0766-S73-1-HTB Issue 1	0766-S73-1-HTB Issue 4	
Landscape plans	HDA	General Arrangement – 11 unit scheme April 2022	General Arrangement – 11 unit scheme July 2023 2099.10/01E	Request that this plan is considered to discharge condition 55 and that the condition is reworded as a compliance condition attached to this S73 application.
Planting strategy	HDA	Planting Strategy – 11 Units	2099.10 / 02E	Request that this plan is considered to discharge condition 55 and that the condition is reworded as a compliance condition attached to this S73 application.
Foul drainage strategy	Odyssey	21-008/406 B		Not previously submitted. Submitted now to demonstrate that foul waste is treated outside of the Lambourn catchment and that an appropriate assessment under the Habitat Regulations is not required. Further detail will be submitted as an application to discharge conditions 12 and 13.

Plan/document	Author	Original ref	Amended ref	Comments
Noise Impact Assessment	Omnia	C10683/NIA/1.2	To be withdrawn	Withdraw and submit to discharge condition 15
Noise Impact Assessment 2	Omnia	C10683/NIA/2.1	To be withdrawn	Relates to 93 dwellings and not relevant to this application
Nutrient Neutrality statement	EPR	Feb 2023	N/A	
Bath Road Access	Odyssey	s278 General Arrangements	To be withdrawn	Not relevant to consideration of this application.
Vehicle tracking	Odyssey	TBC	TBC	For information to demonstrate that planning layout can accommodate vehicular movements.
CEMP	ProVision	Ecology 7929 Issue 2	To be withdrawn	Submitted for consideration under application ref 21/03239/COND2 to discharge condition 24
Project Specification for Building Recording	TVAS	C10683/NIA/1.2	To be withdrawn	Submitted for consideration under application ref 21/03239/COND2 to discharge condition 48
Arboricultural Method Statement	Aspect	11259_AMS.001	To be withdrawn	Submitted for consideration under application ref 21/03239/COND2 to discharge conditions 20, 21, 22, 23
Residential Travel Plan	Odyssey	21-008	N/A	Condition 10 discharged by 22/00889/COND6

Plan/document	Author	Original ref	Amended ref	Comments
				and request that Condition 10 is reworded as a compliance condition attached to this S73 application.
Hyperoptic Planning letter	Hyperoptic	N/A	N/A	Condition 17 discharged by application ref 22/00890/COND7 and request that Condition 17 is reworded as a compliance condition attached to this S73 application.
Landscape and Habitat Management Plan	ProVision	Ecology 7929 Version 2	To be withdrawn	Submitted for consideration under application ref 22/00877/COND4 to discharge condition 30
Phase 2 Geo-Environmental Site Investigation Report	EMS	E10961	To be withdrawn	Submitted for consideration under application ref 22/00878/COND5 to discharge condition 35