



## **Thatcham Town Council**

### **Examination of West Berkshire Local Plan 2022-2039**

#### **Statement of Thatcham Town Council in response to Inspector's questions in document IN6**

This document was approved by the meeting of Planning and Highways Committee of Thatcham Town Council on 13<sup>th</sup> February 2024

## 1 Introduction

1. Thatcham Town Council welcomes the opportunity to provide further information to the Inspector for the Examination of West Berkshire Local Plan 2022-2039, in advance of the Examination hearings.
2. The Inspector will probably be aware that West Berkshire Council had intended to withdraw the draft Local Plan from examination, but was instructed not to do so by a Minister of the Department for Levelling Up, Housing & Communities on the day of the Council meeting called for that purpose. The Town Council was aware of that intention, and consequently did not start consideration of the Inspector's questions in document IN6 until after that meeting. As a result, this submission only includes responses to questions 1-3. We intend to respond to the remaining questions by the second deadline of 22<sup>nd</sup> March.
3. We note that the Duty to Cooperate Statement states "In addition two senior officers from West Berkshire attended briefings of Thatcham Town Council (10/01/2023) ..." (paragraph 5.26). This briefing was part of a meeting of its Planning and Highways Committee; a recording of this meeting is published on the Thatcham Town Council YouTube channel: <https://www.youtube.com/watch?v=wYwRfo1s8Bw>
4. The Inspector might find it useful to listen to this recording (but note that it took place ten days before the start of the Regulation 19 consultation, and the wording of SP17 relating to 1500 houses was amended in that period – so the details of that discussion need to be treated with some caution). However, although this meeting is mentioned in the section of the Statement relating to the Duty to Cooperate with the Integrated Health Board, that topic was not addressed significantly in this meeting.
5. In this submission, "the Council" refers to West Berkshire Council and "the Town Council", "we" or "our" refers to Thatcham Town Council. References in this submission to the NPPF are to the paragraph numbers in the version of July 2021.

### 1.1 Is there any substantive evidence to indicate that the Council failed to comply with the duty to cooperate during the preparation of the Plan up until the date on which it was submitted for examination?

*Related parts of Regulation 19 representations: 9-11, 50-52*

6. The Duty to Cooperate was introduced in the Localism Act 2011, and Integrated Care Boards were made 'prescribed bodies' under The Health and Care Act 2022. Under this Duty to Cooperate, West Berkshire Council is required to cooperate with the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (BOBICB) "in order to address strategic planning issues relevant to their areas."
7. Policy SP17 of the draft Local Plan includes "450 sq. metres GP Surgery to be offered to the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board or other such appropriate body". This is new for the Regulation 19 draft Local Plan – there had been no mention of provision of a GP surgery at earlier stages of development of the Local

Plan. We understand that this was a recent addition to SP17, falling within the period of BOBICB, and not its predecessor the Newbury and District Clinical Commissioning Group.

8. The Council published an 'Interim Duty to Cooperate Statement (January 2023) with the Regulation 19 consultation. As the GP surgery in SP17 is part of a strategic policy, we expected this to be considered a strategic planning issue. However, there was no mention of the GP surgery, or indeed any mention of BOBICB in this interim statement.
9. The Town Council recognises the need for additional GP surgery capacity for Thatcham. However, we received advice that the proposed size of 450 sq. metres was too small to provide the services that are now expected from a GP practice.
10. The Town Council therefore made representations in its Regulation 19 submission that the Council had failed to fulfil its duty to cooperate with BOBICB, and that it had failed to consider the viability of the GP surgery as part of the sustainability appraisal for SP17 – indeed the 'Local Plan Review SA/SEA Non-technical summary' was most recently been updated when the comments on the Regulation 18 consultation were considered.
11. It is clear from the Regulation 19 representation by BOBICB that The Council had indeed not consulted with it regarding the proposed GP surgery. The representations by Thatcham Medical Practice and the Burdwood Surgery confirm that this size of surgery is not viable.
12. The cut-off date for fulfilling the duty to cooperate is the date of submission of the draft Local Plan for examination. The Town Council therefore expected that any Regulation 19 representations claiming a failure of duty to cooperate would be considered, and an attempt made to address them before submission. We also expected that our representations on failure of duty to cooperate, especially in relation to a strategic policy such as SP17, would be specifically addressed in the submitted Duty to Cooperate Statement.
13. However, the period of only three weeks between the end of the consultation period and submission was probably barely sufficient to compile the responses, let alone consider their content.
14. Paragraph 5.26 of the submitted Duty to Cooperate Statement describes regular meetings with BOBICB "where the implications of the proposed local plan were discussed, in terms of health care impact and possible future requirements". We note that the meetings with BOBICB are stated to have started on 09/10/2020, whereas ICBs were only established under the Health and Care Act 2022. However, there no indication as who attended these meetings, the extent of their knowledge of the contents of the draft Local Plan, whether the proposed GP surgery for North East Thatcham was discussed at all, and whether conclusions or agreements were reached.
15. The Town Council understands that the Duty to Cooperate requires more than general discussions. This Duty to Cooperate had been questioned in Regulation 19 representations and the representations by BOBICB indicate clearly that there had not been any cooperation in relation to the GP surgery in policy SP17. The Town Council therefore

invites the Inspector to conclude that this represents substantive evidence that the Council failed to comply with the duty to cooperate with the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board during the preparation of the Plan.

16. We note that many sections of the Council's Duty to Cooperate Statement (March 2023) include statements such as "West Berkshire Council has been working with ... to find a long term solution", "will continue to work with them on this topic", "further duty to cooperate work has been undertaken which is still ongoing". The Statement does not describe what level of agreement had been reached on these matters. This is itself evidence that the Council has not fulfilled its Duty to Cooperate.

**1.2 Is there any substantive evidence that indicates that the public consultation carried out during the preparation of the Plan failed to accord with the Council's statement of community involvement?**

*Related parts of Regulation 19 representations: pages 9-11, 26-29, 37-39 and elsewhere*

17. The Statement of Community Involvement is full of fine aspirations about consulting the community of West Berkshire. However, the key statement in this document is in paragraph 2.22: "As a minimum, we will meet our statutory requirements with regard to consultation for all new DPDs, SPDs, Neighbourhood Plans and the CIL Charging Schedule."
18. The Town Council understands that the requirements for a Statement of Community Involvement stem from Section 18 of the Planning and Compulsory Purchase Act 2004, which states that "The statement of community involvement is a statement of the authority's policy as to the involvement in the exercise of the authority's functions under sections 13, 15, 19, 26 and 28 of this Act" (Sections 13 and 15 were added by the Neighbourhood Planning Act of 2017).
19. Section 13 states that "The local planning authority must keep under review the matters which may be expected to affect the development of their area or the planning of its development" including "the principal physical, economic, social and environmental characteristics of the area of the authority". This appears to include matters addressed in the Sustainability Appraisal.
20. We therefore question whether the statement in paragraph 2.22 of the Statement of Community Involvement meets the requirements of the Planning and Compulsory Purchase Act 2004, as it was amended in 2017.
21. The Policy SP17 in the draft Local Plan is significantly different from the version consulted on at Regulation 18. There has been no public consultation on the changes, including the GP surgery, the changes to provision of secondary education and the related changes that were made (or which should have been made) to the sustainability appraisal.
22. There has been no public consultation on the Thatcham Strategic Growth Study or the West Berkshire Strategic Vision 2050, both of which will affect "the principal physical, economic, social and environmental characteristics" of Thatcham and its locality.

23. The Strategic Vision 2050 is not referenced in the draft Local Plan that was submitted for examination. However, Council's response to the Inspector's preliminary questions to the Council (IN2, question PQ33) proposes adding numerous references to this document to the Local Plan.
24. The Town Council therefore invites the Inspector to conclude that the changes made to policy SP17 and its impact on the Sustainability Appraisal do not comply with the Duty to Cooperate Statement, or alternatively that the Duty to Cooperate Statement does not comply with the Planning and Compulsory Purchase Act 2004, as it was amended in 2017.
25. See also the Town Council's comments on questions 1.1 (duty to cooperate, in relation to the health centre), 1.4 (sustainability appraisal for SP17), 1.11 (Thatcham Strategic Growth Study and West Berkshire Strategic Vision 2050) and 4.5 (provision of secondary education).

**1.4 Is there any substantive evidence to indicate that the sustainability appraisal fails to meet relevant legal requirements?**

*Related parts of Regulation 19 representations: pages 3-5, 12-22*

26. The Town Council understands that the main 'relevant legal requirements' for a sustainability appraisal are contained in Regulations 8 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004. These require that the Council shall invite consultation bodies and the public consultees to express their opinion on any environmental assessment and shall take account of the opinions expressed in response. A plan, programme or modification in respect of which a determination under regulation 9(1) is required shall not be adopted or submitted to the legislative procedure for the purpose of its adoption until these steps have been completed.
27. Policy SP17 changes quite substantially between Regulation 18 and Regulation 19 consultations, including the number of dwellings and provision of education and healthcare facilities. The Town Council believes that these changes are sufficient to require determination under Regulation 9(1).
28. The Council's Statement of the Representations Procedure for the West Berkshire Local Plan Review 2022-2039 (LPR) – Proposed Submission (Jan 2023) included the following sentence: "The accompanying Sustainability Appraisal is a statutory document that identifies the likely significant effects of the LPR and the extent to which implementation of the policies will achieve social, environmental and economic objectives". It was therefore reasonable to expect that this consultation included the Sustainability Appraisal, albeit that this sentence probably did not comply with the requirements of the 2004 Regulations.
29. The Town Council undertook a detailed review of the Sustainability Appraisal, and provided comments on each cell of the table. The conclusions of its review were significantly different to the appraisal by the Council.

30. However, the West Berkshire Local Plan Review SA/SEA Environmental Report and its Appendix 5 that addresses strategic policies (core documents CD3a and CD3f) are dated November 2022. They therefore could not have taken account of the opinions expressed by the Town Council and other respondents during the Regulation 19 consultation.
31. Neither the West Berkshire Local Plan Review SA/SEA Environmental Report (CD3a) nor its non-technical summary (CD3) mention the changes in policy SP17 between Regulation 18 and Regulation 19 consultations. If the Council had determined that these changes were unlikely to have had significant environmental effects, it was required by Regulation 9(3) of the 2004 Regulations to prepare a statement of its reasons for that determination. We can find no such statement in the submission documentation for the draft Local Plan.
32. The SA/SEA is also not legally compliant because it has not reconsidered the reasons for rejection of other site allocations in the light of the changes to SP17.
33. The Town Council therefore invites the Inspector to conclude that the Council has not fulfilled the legal requirements of The Environmental Assessment of Plans and Programmes Regulations 2004, in respect of the changes to policy SP17 between Regulation 18 and Regulation 19 consultations (and potentially also other changes). The Local Plan therefore “shall not be adopted or submitted to the legislative procedure for the purpose of its adoption”.

**1.11 Is it appropriate for Plan policies to refer to supplementary planning documents and other guidance documents that do not form part of the statutory development plan? If so, is the way in which such policies are expressed in the Plan unambiguous and justified in terms of the weight they expect decision makers to give to such documents?**

*Related parts of Regulation 19 representations: pages 43-45, 46-49, 50-52, 56-57*

34. The Town Council does not have concerns about the general appropriateness of plan policies referring to supplementary planning documents and other guidance documents that do not form part of the statutory development plan, provided that these documents have been subject to proper consultation, that they are subject to a due process for any changes, and that the status of these documents is clear within the statutory development plan.
35. The Town Council has specific concerns about three documents that are referenced, or which the Council proposes should be referenced, that are relevant to policy SP17: the Thatcham Strategic Growth Study, the West Berkshire Strategic Vision 2050 and the Infrastructure Delivery Plan.
36. Thatcham Strategic Growth Study. This document comprises a report by a consultant on one possible configuration for a development of 2500 dwellings, and has not been the subject of any consultation. It is completely unclear how it could be applied to the 1500 dwellings in the current policy SP17. The statement that “The Thatcham Strategic Growth Study provides guiding principles for the delivery of the site therefore proposals will

demonstrate that these guiding principles have been positively responded to” is completely meaningless – this document does not contain any ‘guiding principles’ and the interpretation of “positively responded to” is completely opaque.

37. West Berkshire Strategic Vision 2050. This document comprises a report by a consultant, and has not been the subject of any consultation. The Town Council had sight of a draft and provided detailed comments and corrections, none of which have been incorporated in the final document. These are included in the Town Council’s Regulation 19 submission, as attachment 10. This document should not be referenced from the Local Plan or statutory development plan, because it contains significant factual inaccuracies (most obviously, it states that Thatcham is west of Newbury!).
38. Infrastructure Delivery Plan. This is described on the cover page as “This is a living document which will be updated consistently in line with the requirements of infrastructure providers. As infrastructure projects are completed, new projects will be included.” Neither the document nor the Council’s Local Development Scheme describe the process by which it would be updated or who would approve the update. It is unclear why “the requirements of infrastructure providers” should be the basis for updates. The version of the Plan that forms part of the evidence base contains significant discrepancies with the policies in the draft Local Plan. As this is an uncontrolled document that is not even correct at the time of submission for examination, it is wholly inappropriate to form any part of the Local Plan documentation.
39. The Town Council therefore believes that it is not appropriate to refer to these documents in the Local Plan or other documents that form part of the statutory development plan.

**1.13 Does the viability evidence make reasonable assumptions about:**

- (a) the cost of meeting all of the policy requirements included in the Plan along with any other relevant national standards;**
- (b) the value of development; and**
- (c) the price a willing landowner would be likely to sell their land for?**

*Related parts of Regulation 19 representations*

40. The Town Council does not understand how a viability assessment can be made for North East Thatcham in the absence of any masterplan or information about the layout of the site. We assume that land intended for housing would receive a higher value than land intended for a country park or other social use, but there is no information whatsoever on what area of the assumed development would comprise the 1500 dwellings.
41. The analysis in Table E of ‘West Berkshire Council Viability Assessment Update: Local Plan Review (2021-2022) Appendix I - Assumptions Summary’ is rudimentary, with most elements simply ‘pro rated’ (SIC) from the Thatcham Strategic Growth Study Stage 3 – which is itself in many respects questionable.
42. We have found the following substantial inconsistencies between the assumptions in Table E and Policy SP17 of the draft Local Plan:

Policy SP17	Table E	Comments
The site will provide Secondary provision - Land to meet the impact of the development.	Secondary - Land and buildings to meet the impact of the development. The nature and cost of the mitigation will be informed by a feasibility study, undertaken at the applicants expense and prepared in collaboration with the local authority and local stakeholders. Assume 60% of the full 2,500 unit cost.	SP17 does not define number of forms of entry needed for secondary provision, but it is presumably similar to the 2.5FE needed for primary provision. This is for land only. The Reg. 18 draft Local Plan envisaged 2500 dwellings in its policy SP17, including "A new secondary school (8FE) and the sports infrastructure requirements of that school". Therefore, Table E assumes both land and buildings for a ~5FE secondary school
The site will provide 1,200 sq m community indoor facility to be used for sport and community uses	Community Building (350m2) - Pro-rated from Table D - 1,500 units	
450 sq. metres GP Surgery to be offered to the BOBICB	Assumed funded through CIL	SP17 presumably means that the surgery would be constructed as part of the development.
Local centres providing local retail facilities and small-scale employment for community use (approximately 1,100 sq. metres Class E and F2)	No mention of any such centres or facilities	

43. In addition, Table E 'pro rates' elements that have a fixed cost, independent of the size of the development, including improved crossing facilities on nearby roads and undergrounding of cables. Some others do not scale in proportion to the size of the development, including access onto adjoining roads.

44. The Town Council has pointed out in previous consultations that no agreement has been made regarding improvements to Henwick Worthy, and the proposal in the Strategic Growth Study is unworkable.

45. The Town Council therefore invites the Inspector to conclude that the viability evidence cannot have made reasonable assumptions about the cost of meeting all of the policy requirements of policy SP17, because the key assumptions that the Viability Assessment makes about this policy are substantially different to what that policy actually states and



other assumptions have been incorrectly scaled from information in the Strategic Growth Study.

**1.15 Is the Plan based on proportionate and adequate evidence about the impacts that the development proposed will have on the strategic and local road networks?**

**1.16 Is there substantive evidence to indicate that the development proposed in the Plan, in combination with other committed and planned development, would have an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe?**

*Related parts of Regulation 19 representations: Pages 17, 70-72, 73-75*

46. The comments of the Town Council on the impact to the road network relate specifically to the impact of policy SP17. We will therefore provide these to question 4.3.

**3.1 Does policy SP1 set out an appropriate spatial strategy that will contribute to the achievement of sustainable development? In particular:**  
**(b) Thatcham being a focus for housing and business development, regeneration and improved services and facilities.**

*Related parts of Regulation 19 representations: pages 3-5, 43-45*

47. The spatial strategy in policy SP1 does not of itself provide sustainable development – it is the policies that develop and implement SP1 that can contribute to the achievement of sustainable development. For North East Thatcham, that is primarily policy SP17.

48. As highlighted in our Regulation 19 submission, the current Local Plan states that: “Thatcham’s services and facilities will be improved allowing the town to fulfil its role within the District Settlement Hierarchy and the Hierarchy of Centres, serving the local population, not only within Thatcham, but also the surrounding rural areas.”

49. Since the current Local Plan was approved, there has been almost no improvement in Thatcham’s services and facilities – and there has been none in the year since the Regulation 19 consultation. Therefore, according to the current Local Plan, Thatcham is not ready to fulfil its role within the District Settlement Hierarchy (which is very similar in the current and draft Local Plans).

50. It follows that the Thatcham’s services and facilities must be improved in advance of any significant housing development in the locality, in order for that development to be sustainable. Neither policy addresses the scheduling of infrastructure provision relative to housing development. In the absence of any requirements for scheduling, neither policy SP1 nor SP17 can contribute to the achievement of sustainable development.

51. We will address the specific issues in more detail in our responses to the questions in Section 4.

52. We are also unconvinced that the stringent constraints on development within the AONB and the DEPZs contribute to sustainable development across the district as a whole.

### 3.3 Are the settlement boundaries defined on the Policies Map appropriate and based on proportionate evidence?

*Related parts of Regulation 19 representations: pages 40-42, 46-49, 65-67*

53. The settlement boundary for North East Thatcham (SP17) defined on the Policies Map is neither appropriate nor based on proportionate evidence.
54. The settlement boundary for NE Thatcham appears to be based on the area of land under the control of the proponents of site THA20 rather than suitability for housing development.
55. The term “settlement boundary” is not defined in national planning policy nor in the main body of the draft Local Plan. It is described in Appendix 2, but this relates to the process of development and is not a definition that can be applied with certainty to the Policies Map. This description is:
- “Settlement boundaries identify the main built up area of a settlement within which development is considered acceptable in principle, subject to other policy considerations. While allowing for development, settlement boundaries protect the character of a settlement and prevent unrestricted growth into the countryside. They create a level of certainty about whether or not the principle of development is likely to be acceptable.”
- “Boundaries will exclude: *[inter alia]*
- Open undeveloped parcels of land on the edges of settlements which are not either functionally or physically or visually related to the existing built up area
  - Recreational or amenity open space which extends into the countryside or primarily relates to the countryside in form and nature. This includes designated Local Green Space.”
56. The policies map shows the ‘country park’ and ‘green link’ on the periphery of the settlement boundary as being within it. This is contrary to the description of settlement boundary in Appendix 2 of the draft Local Plan.
57. This is also directly contrary to Policy SP16 for the Sandleford Strategic Site Allocation, which states: “A network of green infrastructure to be provided which will ... **Provide a country park** or equivalent area of public open space in the southern part of the site **which will be retained outside of the settlement boundary for Newbury**”. (*our emphasis*)
58. There is no evidence that the whole of the North East Thatcham site is considered acceptable for housing. The Landscape Capacity Assessment might have provided this evidence. However, the report for this LCA states that “The project brief requires the visual sensitivity of the study site to be considered as a single tract of landscape, and for the site not to be broken down into individual parcels of land.” It is difficult to comprehend why such a constraint was placed on the assessment – unless it was intended to frustrate consideration of the acceptability (or lack of acceptability) of different parts of the site.

59. The boundary of the areas of 'country park' appears to be based on the arbitrary contour of 110m AOD, rather than any evidence from social, ecological or environmental considerations. As a result, they comprise three small and widely separated areas that are unlikely to be of significant value for these considerations. This is particularly obvious for the eastern area of 'country park', where following the contours results in two 'fingers' of land that are outside the area of the 'country park', but completely worthless for development.
60. The settlement boundary does not need to extend to 110m AOD in order to accommodate 1500 dwellings (given that the same settlement boundary could accommodate 2500 dwellings at Regulation 18. It is obvious that the visual impact of the development will increase with the elevation of the buildings at the highest elevation, and the impact on the AONB will increase with their proximity to it. IN the Siege Cross appeal, the Council argued that the settlement should not extend above 95m AOD (see Attachment 3 to our Regulation 19 submission).
61. Therefore, the meaning of settlement boundaries is not properly defined, and is not applied consistently across the Policies Map. The settlement boundary for North east Thatcham is not based on any relevant evidence.
62. The Town Council believes that the current proposals in policy SP17 for secondary education are unsound (we will address this in detail in our response to question 4.5). The Department for Education has published guidance on "Securing developer contributions for education (November 2019)", which provides helpful advice on 'Safeguarding land for schools'. We understand that this might require a new category in the Policies Map of "Land Safeguarded for Education".
63. In the Thatcham Town Council meeting on 10<sup>th</sup> January, the West Berkshire Council Officers that attended appeared suggested that respondents to the Regulation 19 consultation could propose an alternative settlement boundary. However, that would need to be based on evidence, and the Regulation 19 documentation provides no such evidence.
64. For these reasons, the Town Council invites the Inspector to conclude that the current settlement boundary should not be modified until a masterplan for 1500 dwellings has been prepared and consulted on (or less if the Inspector concludes that this number is not sustainable or not deliverable), based on a new Landscape Capacity Assessment and on a Landscape and Visual Impact Assessment. The settlement boundary should then only be expanded sufficiently to include the area needed for housing development in that masterplan.

### **3.5 Is policy SP2 consistent with national policy relating to AONBs?**

*Related parts of Regulation 19 representations: 18, 68-69*

65. No. Policy SP2 applies only within the area of the AONB itself, whereas Paragraph 176 of NPPF also applies to its setting.

66. The Town Council notes that Section 245(6) of the Levelling-up and Regeneration Act 2023 has added a new provision to the Countryside and Rights of Way Act 2000: “In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.” This might require an amendment to Policy SP2.

67. We will address the impact of these issues on policy SP17 in our response to question 4.9.

**3.13 Is the strategic approach of restricting development outside settlement boundaries set out in policies SP1 and SP2 justified and consistent with national policy?**

*Related parts of Regulation 19 representations: pages 3-5*

68. The NPPF contains numerous references to ‘sustainable development’. One key requirement for a community to be sustainable is having enough residents within a locality to support the infrastructure that they need. The draft Local Plan does not envisage any completely new communities (now that Grazeley is no longer considered to be feasible), so sustainable development must therefore be delivered largely through development of current communities. The approach of defining settlement boundaries seems to be a proportionate approach to deliver this that is consistent with national policy – though we have concerns about the way that this has been implemented for North East Thatcham (see our response to question 3.3).

69. It appears from a ‘Google’ search that settlement boundaries are used widely by Local Authorities in plan making.

**3.14 Is policy DM2 [Separation of Settlements around Newbury and Thatcham] justified and consistent with national policy? If so, will it be effective in preventing the coalescence of Newbury and Thatcham and maintaining the separate identity of the named settlements?**

*Related parts of Regulation 19 representations: pages 53-55*

70. The geographic separation between Thatcham and the neighbouring settlements of Newbury, Ashmore Green, Cold Ash and Bucklebury is small. It only would take a small amount of development in the wrong place for them to coalesce and lose their separate identity. The Town Council therefore believes that that policy DM2 is justified, and indeed necessary, to prevent this.

71. The spatial strategy in Policy SP1 is welcome, but it relies on the term ‘settlement boundary’, the meaning of which is unclear (it is not defined in national policies and guidance or in the draft Local Plan), and could be inferred to apply only to housing (and not to other types of development or to first homes schemes)<sup>1</sup>.

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<sup>1</sup> For example, a planning application was submitted for 41 ‘holiday chalets’ at Hambridge Lake, in the strategic gap between Thatcham and Newbury. The application was made under the sui generis class, but the design of the ‘holiday chalets’ was indistinguishable from residential dwellings. This application was refused by West

72. The Town Council therefore believes that this policy is consistent with the NPPF, in particular paragraphs 16, 20 and 79 (our emphasis added):

**16. Plans should:**

**c) be shaped by early, proportionate and effective engagement between plan-makers and communities**, local organisations, businesses, infrastructure providers and operators and statutory consultees; *(this policy is supported by the Town and Parish Councils)*

**20. Strategic policies should set out an overall strategy for the pattern**, scale and design quality **of places**, and make sufficient provision for:

**d) conservation** and enhancement **of the natural**, built and **historic environment**, **including landscapes** and green infrastructure, and planning measures to address climate change mitigation and adaptation.

**79. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.** *(and, by implication, not located where it will degrade their vitality through coalescing with neighbouring communities)*

73. The Town Council therefore believes that this policy to prevent the coalescence of Newbury and Thatcham and surrounding villages. Whether it is effective will only be found through the results of future planning applications and appeals.

74. The town council believes that the omission of the area between Thatcham and Upper Bucklebury from this policy is not justified by the evidence in the Appropriate Countryside Designation Study.

### **3.16 (a) Were the sites allocated in the Plan selected on the basis of adequate and proportionate evidence?**

*Related parts of Regulation 19 representations: pages 3-5*

75. No. The Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) for Policy SP1 cannot be legally compliant, because it explicitly states that it has not complied with the requirement to identify, describe and evaluate reasonable alternatives to the proposed policy.

76. In particular, it appears from the Sustainability Appraisal and the HELAA that some sites were rejected because they were too small to provide the infrastructure that was considered to be necessary, but this was not reviewed following the modifications to policy SP17 for the Regulation 19 consultation (and the infrastructure that it would then provide).

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Berkshire Council (Ref 19/02916/OUTMAJ) and refused on appeal to the Planning Inspectorate (Appeal Ref: APP/W0340/W/20/3259296). Since then, two further applications have been submitted for lower numbers of 'holiday chalets' on this site.