

Examination of West Berkshire Local Plan 2022-2039

Inspector: William Fieldhouse BA (Hons) MA MRTPI

Programme Officer: Ian Kemp

Tel: 07723009166

Email: ian@localplanservices.co.uk

Examination webpage: <https://www.localplanservices.co.uk/westberkshirelpr>

IN6: INSPECTOR'S MATTERS, ISSUES AND QUESTIONS AND WRITTEN STATEMENTS

Introduction

This note sets out:

- The matters, issues and questions that will be the focus of the examination (**Annex 2**).
- Advice about, and deadlines for, submitting written statements in response to my matters, issues and questions (**Annex 1**).

Main modifications to the Plan

The Council's responses to my Preliminary Questions and Supplementary Preliminary Questions were published on 1 October and 23 October respectively¹. These propose a number of main modifications to the Plan to address soundness issues.

Where relevant, I refer to the Council's proposed main modifications and its other responses to my preliminary questions in my matters, issues and questions. I will take account of the Council's proposed main modifications, along with all of the published evidence, regulation 19 representations and written statements in coming to my conclusions at the end of the examination. However, I can only recommend main modifications if I decide that they are essential to make the Plan sound or legally compliant (irrespective of whether they have been suggested by the Council or in representations, or whether they would "improve" the Plan).

¹ EXAM2 and EXAM3.

Matters, issues and questions

My matters, issues and questions, which will be the focus of the examination, are set out in **Annex 2** to this note.

Written statements

Any representor may submit a written statement or statements answering the questions set out in Annex 2. However, these should only be in response to questions that relate to their original representations. Written statements must be received by the Programme Officer by the following deadlines:

- **Midday on Friday 16 February 2024** – statements for matters 1 to 3.
- **Midday on Friday 22 March 2024** – statements for matters 4 to 13.

Information about the format, content and length of written statements is set out in **Annex 1**. I may not consider statements that do not follow that advice.

Further information

Further information about the examination procedures is set out in my Guidance Notes published on the 10 May 2023².

Any queries about this note should be taken up with the Programme Officer.

William Fieldhouse

Inspector

21 November 2023

² IN1.

Written statements

Any representor may submit a written statement or statements answering the questions set out in Annex 2. However, these should only be in response to questions that relate to their original representations. Statements should set out the key points from their original representation against the relevant questions.

All statements should be concise and focussed on the questions, and in any event must contain **no more than 3,000 words** for each matter.

The Council should produce a statement for every matter. This should also be focused and succinct. However, because the Council has to answer every question, it may in some cases be necessary to exceed the limit of 3,000 words per matter.

Written statements are not the opportunity to introduce new evidence. Rather, they should refer to evidence on the examination website or that which was submitted with representations made under regulation 20. If the Council or any representor considers that there is evidence that it is essential to refer to in order to answer one of my questions, but which is not on the examination website, please check with the Programme Officer before submitting it. I will consider any such request having regard to the relevance of the evidence and the reason why it had not been submitted earlier. If I decide to accept it, it will be published in the examination library.

All statements should directly answer my specific questions. Where appropriate, reference should be made to relevant parts of the National Planning Policy Framework (“NPPF”) (paragraph numbers) and associated Planning Practice Guidance (“PPG”) (eg ID: 18a-001-20190723) with an explanation of why you think the policy in question is consistent or inconsistent with it. Reference should also be made to specific parts of evidence in the examination library (with specific page and paragraph numbers). However, there is no need to quote extensive parts of the NPPF, PPG or evidence documents.

If your response to one of my questions concludes that the relevant part of the Plan is not sound, please set out how you think it should be modified to ensure that it is. Where relevant, refer to the Council’s proposed modifications and changes to the policies map.

All statements must include your name and representor reference number in the top right corner of each page. They must be emailed to the Programme Officer in Word or PDF format by the following deadlines:

- **Midday on Friday 16 February 2024** – statements for matters 1 to 3.
- **Midday on Friday 22 March 2024** – statements for matters 4 to 13.

Written statements will be published on the examination website as soon as possible after the deadline so that they are available to all participants and anyone else who wishes to read them. Because they will be available in this way, they will not be circulated directly to participants. Anyone who is unable to access them on the

website should contact the Programme Officer.

Once the date for submitting written statements has passed, no other written evidence should be submitted, unless I specifically request it.

Any queries about how to prepare or submit written statements should be taken up with the Programme Officer.

End of Annex 1

Matters, Issues and Questions

I will consider the following matters, issues and questions to help me decide if the Plan is sound and legally compliant and, if not, how it could be modified to ensure that it is. My introduction to each issue refers, where relevant, to the Council's responses to my Preliminary Questions and Supplementary Preliminary Questions including any main modifications that it has proposed to the Plan³.

M1. Legal and procedural requirements and other general matters

1.1 The duty to cooperate

The Council's Duty to Cooperate Statement⁴ provides information about engagement with local planning authorities and prescribed bodies on strategic matters⁵ during the preparation of the Plan in the context of section 33A of the 2004 Act. The Council's responses to PQ1 and PQ2 summarise the strategic matters addressed during the preparation of the Plan along with the mechanisms used to engage with other local planning authorities and prescribed bodies as defined in regulation 4 of the 2012 Regulations. The response to SPQ3 advises that no local planning authorities or other prescribed bodies claim that the Council has failed to comply with the duty to cooperate.

Q1.1. 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?

The Council's responses to PQ3 and PQ4 summarise a number of strategic matters that have been subject to ongoing discussions with other local planning authorities, prescribed bodies and other relevant representors since the Plan was submitted for examination. In so far as they relate to potential issues of soundness, I deal with those in subsequent matters and questions.

1.2 Public consultation

The Council's response to PQ5 summarises a number of concerns raised in representations made under regulation 20 about the public consultation carried out during the preparation of the Plan. However, the Council's Consultation Statement⁶ and response to PQ5 indicate that it is satisfied that it complied with the statement of

³ EXAM2 (1 October 2023) and EXAM3 (23 October 2023).

⁴ CD11.

⁵ A "strategic matter" is (a) sustainable development or use of land that has or would have a significant impact in at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and (b) sustainable development or use of land in a two-tier area if the development or use is a county matter or would have a significant impact on a county matter [section 33A(4) of the 2004 Act].

⁶ CD4a.

community involvement during the preparation of the Plan as required by section 19(3) of the 2004 Act.

Q1.2. 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?

1.3 Equalities

Public authorities are required under section 149 of the Equality Act 2010 to have due regard to the following aims when exercising their functions:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic⁷ and persons who do not share it; and
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Council carried out an Equality Impact Assessment of the Plan⁸. This concludes that the Plan will have a positive impact on all people with protected characteristics through the delivery of housing (including affordable housing) and employment; improved transport and accessibility; and the provision of improved, and safe access to, open space, recreational, health, education, leisure, community and faith facilities and services. The assessment also found no evidence that the Plan will have a negative impact on people with protected characteristics.

However, the Council's response to PQ6 summarises a number of concerns raised in representations made under regulation 20 that the Plan would be likely to adversely affect persons who share relevant protected characteristics. In so far as they relate to potential issues of soundness, I deal with those in subsequent matters and questions.

Q1.3. Is there any substantive evidence to indicate that the requirements of section 149 of the Equality Act 2010 have not been met?

1.4 Sustainability appraisal

The Council carried out a sustainability appraisal of the Plan, prepared a report of the findings, and published the report along with the Plan and other submission documents under regulation 19⁹. A non-technical summary of the appraisal was published on 13 October 2023¹⁰.

⁷ Age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

⁸ CD10.

⁹ CD3a to CD3k.

¹⁰ CD3.

Local planning authorities are required to consider “reasonable alternatives” during the preparation of local plans¹¹. These should take account of the objectives and geographical scope of the plan¹². The Council’s response to PQ21 summarises the reasonable alternatives it considered during the preparation of the Plan.

Q1.4. Is there any substantive evidence to indicate that the sustainability appraisal fails to meet relevant legal requirements?

1.5 Habitat regulations assessment

The habitat regulations assessment¹³ finds that the Plan, in combination with other plans and projects, has the potential to have significant effects on the integrity of the River Lambourn, Kennet and Lambourn Floodplain, and Kennet Valley Alderwoods Special Areas of Conservation. However, the assessment concludes that those in-combination effects can be avoided through a combination of strategic and proposal-specific mitigation measures.

The Council’s response to PQ7 lists the strategic, development management and proposal-specific policies in the Plan that it considers will ensure that significant effects on the integrity of the three Special Areas of Conservation will be avoided. In so far as they relate to potential issues of soundness, I deal with those in subsequent matters and questions.

The Duty to Cooperate Statement¹⁴ advises that the approach to the habitat regulations assessment has been developed in conjunction with Natural England. The Council’s response to PQ8 advises that Natural England has no outstanding concerns about the habitat regulations assessment.

Q1.5. Is there any substantive evidence to indicate that the habitat regulations assessment fails to meet relevant legal requirements?

1.6 Climate change

The Council’s response to PQ10 summarises the policies in the Plan that are designed to secure that the development and use of land in West Berkshire contributes to the mitigation of, and adaptation to, climate change as required by section 19(1A) of the 2004 Act. I deal with potential soundness issues in relation to each of those policies in subsequent matters and questions.

1.7 Flood risk

Paragraph 4.8 of the Sequential Test Report¹⁵ states that all sites considered to be reasonable alternatives for accommodating the proposed growth identified in the Plan have been assessed for flood risk. The Council’s response to PQ23 clarifies

¹¹ NPPF 35b and The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

¹² SEA Regulation 12(2).

¹³ CD8.

¹⁴ CD11.

¹⁵ WAT5.

that, whilst some of the allocations in the Plan contain areas that are at risk of flooding, the development proposed on each can be accommodated outside those areas. Where necessary, I deal with flood risk, along with other potential soundness issues, on each allocation in the Plan in subsequent matters and questions.

Q1.6. Is there any substantive evidence to indicate that the Council failed to apply the sequential test and then, if necessary, the exception test relating to flood risk during the preparation of the Plan as required by national planning policy?

1.8 Strategic policies and neighbourhood plans (Appendix 6)

Strategic policies

The Plan identifies 24 strategic policies: SP1 to SP24. Neighbourhood plans will be required to be in general conformity with those strategic policies. The Council's response to PQ13 summarises why it considers each strategic policy meets the relevant criteria set out in national policy and guidance¹⁶.

However, the Council's response to PQ14 proposes that policies SP13, SP14, SP15 and SP21 be deleted as they contain unnecessary duplication and create ambiguity about whether the allocations listed within them are subject to a strategic policy that a neighbourhood plan would need to be in general conformity with. Instead, the response proposes the inclusion within chapter 8 of additional text and tables to summarise the allocations in each spatial area. The Council's response to PQ14 also proposes modification to policies SP12 (housing delivery) and SP20 (employment land); I deal with those under subsequent matters below.

Q1.7. Do each of the policies SP1 to SP24 meet the criteria for strategic policies set out in national policy and guidance?

Q1.8. Do policies SP13, SP14, SP15 and SP21 contain unnecessary duplication and create ambiguity such that they are not sound? If so, would their replacement with the additional tables and text in chapter 8 as proposed by the Council represent a sound approach?

Neighbourhood plans

Paragraph 1.14 in the Plan refers to two made neighbourhood plans: Stratfield Mortimer (2017) and Compton (2022). Policies SP13 to SP15 refer to seven other designated neighbourhood areas: Cold Ash; Newbury; Burghfield; Tilehurst; Hermitage; Hungerford and Lambourn. The Council's response to PQ15 includes a map of those areas and sets out the expected timetables for the preparation of a neighbourhood plans in each.

Appendix 6 in the Plan is entitled "How policies are applied in a neighbourhood planning context". The Council's response to PQ44 proposes the deletion of Appendix 6 on the basis that its inclusion in the Plan is not consistent with relevant legislation and national policy. Furthermore, the Council's website includes

¹⁶ NPPF 17 to 23 and 28, and PPG ID-41-076-20190509.

information about neighbourhood planning which is kept under review and updated as appropriate.

Q1.9 Is Appendix 6 consistent with relevant legislation and national policy? If not, would the deletion of Appendix 6 ensure that the Plan is legally compliant and sound in that respect?

1.9 Superseded policies in the adopted development plan (Appendix 7)

Regulation 8 parts (4) & (5) require that the policies in a local plan must be consistent with the adopted development plan unless the plan being examined contains a policy that is intended to supersede another policy in the adopted development plan and the plan states that fact and identifies the superseded policy.

Appendix 7 sets out a schedule of policies in the West Berkshire District Plan 1991-2006, the West Berkshire Core Strategy 2006-2026, and the Housing Site Allocations DPD 2006-2026 that will be superseded by policies in the Plan. However, at the end of Appendix 7 is a list of policies in the Housing Site Allocations DPD 2006-2026 that “have not been carried forward” as part of the Plan. The Council’s response to PQ11 explains that those sites have either been completed or are under construction (in which case they are counted in the existing supply), or are no longer deliverable. The response also proposes a modification to Appendix 7 to clarify that each of the adopted policies relating to the sites not being carried forward are superseded by policy SP12 in the Plan.

Q1.10. Is the modification to Appendix 7 relating to allocations not being carried forward necessary to make the Plan legally compliant and, if so, would it be effective in that regard?

1.10 References to supplementary planning documents and other guidance

National planning policy guidance is clear that supplementary planning documents are material considerations in decision-making and can provide more detailed advice on policies in an adopted local plan. However, as they do not form part of the development plan, they cannot introduce new planning policies into the development plan.¹⁷

Various policies in the Plan refer to guidance and other documents that do not form part of the statutory development plan. The way such documents are referred to varies. For example, some state that proposals should be “in accordance with” such requirements, whereas others expect proposals to “follow” or “respond to” such advice. The Council’s response to PQ18 identifies all such references in Plan policies and explains why it considers the approach to be justified or, in a limited number of cases, sets out a proposed modification. In so far as they relate to potential issues of soundness, I deal with those in subsequent matters and questions. The following question relates to the principle of the approach taken in the Plan.

¹⁷ PPG ID:61-008-20190315

Q1.11. 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?

1.11 Definitions (Appendix 9)

The Council's response to PQ45 advises that the definitions in Appendix 9 of the Plan are the same as in NPPF Annex 2 (other than in 3 instances¹⁸); or contain additional information relevant to West Berkshire; or relate to terms used in the Plan that are not defined in NPPF Annex 2.

Q1.12. Are all of the definitions in Appendix 9 of the Plan consistent with those in NPPF Annex 2 or otherwise justified?

1.12 Viability

Local plans should be informed by a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy and section 106. The assessment should demonstrate that the total cumulative cost of all relevant policies will not undermine deliverability¹⁹. The Plan is supported by viability evidence²⁰.

The Council's response to PQ9 summarises why it considers the viability assessment to be based on reasonable assumptions and states that the total cumulative cost of all relevant policies will not undermine the viability of the development that the Plan assumes will take place during the plan period.

Q1.13. 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?

Q1.14. Does the viability evidence indicate that the total cumulative cost of all relevant policies will not undermine the viability of the development that the Plan assumes will take place during the plan period?

1.13 Strategic and local road networks

National policy advises that development should only be prevented if it would have an unacceptable impact on highway safety or the residual cumulative impacts on the strategic road network would be severe. Local plans should ensure that any significant impacts from the development on the transport network (in terms of

¹⁸ Minor (additional) modifications are proposed by the Council to the definitions of "development plan", "local housing need", and "planning condition" to ensure consistency with the NPPF.

¹⁹ PPG ID:10 (2019).

²⁰ VIA1a to VIA1f (Autumn 2022).

capacity and congestion), or on highway safety, can be cost effectively mitigated to any acceptable degree²¹.

The Council's responses to PQ46 and SPQ46 advises that further work is being carried out in liaison with National Highways, Hampshire County Council and Network Rail to address a number of issues relating to the strategic and local road networks, including the Thatcham level crossing, and that statements of common ground are expected to be agreed by around the end of January 2024.

Q1.15. 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?

Q1.16. 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? In particular:

(a) Could any significant impacts on the transport network (in terms of capacity and congestion), or on highway safety, be cost effectively mitigated to an acceptable degree?

(b) Does the Plan contain effective policies to secure the necessary mitigations?

²¹ NPPF 110 and 111.

M2. Amount of development needed in the District

2.1 Plan period

The Plan covers the period 2022 to 2039. However, national planning policy expects strategic policies to look ahead over a minimum 15 year period from adoption²². To achieve consistency with this, the Council's responses to PQ19 and PQ20 propose modifications to the Plan so that relevant strategic and development management policies look ahead to 2041.

Q2.1. Is the Council's proposal to modify the Plan so that relevant policies look ahead to 2041 necessary to make the Plan sound?

2.2 Housing requirement (policy SP12)

National planning policy and guidance expect local housing need to be calculated at the start of the plan-making process using the standard method and then be kept under review and revised where appropriate as the figure may change due to the inputs being variable. However, local housing need calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted for examination²³.

Paragraph 6.2 of the Plan states that local housing need calculated using the standard methodology was 513 dwellings per year based on 2022 data. The Council's response to SPQ24 advises that based on 2023 data, the figure was 515 dwellings per year at the time the Plan was submitted for examination.

Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period²⁴.

National planning guidance advises that an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes²⁵.

The Council's response to PQ21 advises that various options for housing growth were considered during the preparation of the Plan. These ranged from 513 dwellings per year up to 692 dwellings per year.

Policy SP12 states that provision will be made for 8,721 to 9,146 net additional homes per year between 2022 and 2039 (513 to 538 per year) and goes on to advise that the target of 538 does not constitute a cap to development. The Council's response to PQ24 advises that the minimum housing requirement figure, which will be used to calculate the five year requirement, is 513 net additional dwellings per year.

²² NPPF 22.

²³ NPPF 66 and PPG ID:2a-008-20190220.

²⁴ NPPF 66.

²⁵ PPG ID: 2a-024-20190220.

Paragraph 6.5 in the Plan refers to Reading Borough Council having identified a shortfall of 230 dwellings in their current local plan period to 2036. The Council's response to PQ24 advises that some of this need could in theory be met through the range identified in policy SP12. However, this matter is to be revisited in the imminent Reading Local Plan Review. To reflect this, the Council's response to PQ24 proposes a modification to paragraph 6.7 in the Plan to refer to the Council continuing to work with other authorities in the housing market area to address Reading's unmet housing need.

The Council's responses to PQ19 and PQ20 propose a modification to policy SP12 so that it looks ahead a minimum of 15 years from adoption as expected by national policy. As modified, policy SP12 would refer to a range of 9,747 to 10,222 net additional dwellings between 2022 and 2041 (based on annual average figures of 513 and 538).

The Council's response to PQ38 advises that policy SP19 is expected to deliver a total of 2,190 affordable homes on market-led schemes between 2022 and 2039. There would be a nominal deficit of around 3,420 against the identified need for 5,610 affordable homes in that period (330 affordable homes per year) although the link between affordable and overall need is complex as many of those identified as being in need of an affordable home are already in housing.

Q2.2.

- (a) Is the inclusion in the Plan of a minimum housing requirement figure of 513 net additional dwellings per year sound?
- (b) Or should the minimum housing requirement figure be increased above local housing need to reflect Reading's unmet need and/or to help deliver more affordable homes?
- (c) If so what should the total minimum requirement figure be?
- (d) Does the wording of policy SP12 need to be modified to clarify what the minimum housing requirement is (irrespective of what the figure should be)?
- (e) Does inclusion of a "target figure" (above the minimum requirement) provide a clear and unambiguous approach?
- (f) If so, is the "target figure" of 538 dwellings per year justified?

2.3 Office floorspace requirement

Paragraph 7.4 in the Plan refers to a need for a net increase in office floorspace of 50,816 sqm to 2039. The Council's response to PQ20 seems to indicate that this would need to be modified to reflect the proposed modification to policy SP20 so that it looks ahead to 2041.

Q2.3. (a) Is the identified need for a net increase in office floorspace of 50,816 sqm to 2039 justified? (b) If the Plan were to be modified to look ahead to 2041, how would the office floorspace requirement figure need to be modified?

2.4 Industrial and warehouse floorspace requirements

Paragraph 7.8 in the Plan refers to a minimum requirement of 91,109 sqm of industrial floorspace or 23 hectares of land. The Council's response to PQ20 seems to indicate that this would need to be modified to reflect the proposed modification to policy SP20 so that it looks ahead to 2041.

Q2.4. (a) Is a minimum requirement of 91,109 sqm of industrial floorspace (23 hectares) to 2039 justified? (b) If the Plan were to be modified to look ahead to 2041, how would the industrial and warehouse floorspace requirement figure need to be modified?

M3. Spatial strategy

3.1 The spatial strategy (policy SP1) and settlement hierarchy (policy SP3)

The Council's response to PQ21 advises that two broad spatial strategy options were considered during the preparation of the Plan:

- Retaining the approach in the adopted Core Strategy based on four spatial areas (Newbury/Thatcham; AONB; Eastern; and East Kennet Valley).
- Revised spatial strategy based on three spatial areas (Newbury/Thatcham; AONB; and Eastern/East Kennet Valley combined) with an increased focus on Newbury and Thatcham.

As part of this, consideration was given to options for distributing housing development including:

- Rolling forward the distribution from the adopted Core Strategy.
- Increased focus on the Eastern Area (Grazeley).
- Reduced focus on the AONB.
- Continued focus on Newbury.
- Increased focus on Thatcham.

Paragraph 4.29 of the Plan advises that the settlement hierarchy defined in the adopted Core Strategy was re-assessed during the preparation of the Plan to take account of settlements' roles, infrastructure and services. Appendix 2 to the Plan explains that all settlement boundaries were reviewed based on a landscape-led approach.

Policy SP1 sets out the overarching spatial strategy for West Berkshire based on three spatial areas: Newbury and Thatcham; Eastern Areas; and North Wessex Downs AONB). Policy SP3 defines a settlement hierarchy of 3 urban areas; 6 rural service centres; 8 service villages; and a number of smaller settlements.

Q3.1. Does policy SP1 set out an appropriate spatial strategy that will contribute to the achievement of sustainable development? In particular:

(a) Newbury retaining its key role as the administrative centre and major town centre, and being a focus for housing and business development and the main focus for office development.

(b) Thatcham being a focus for housing and business development, regeneration and improved services and facilities.

(c) Villages surrounding Newbury and Thatcham retaining their existing roles.

(d) Theale being the focus for additional housing in the Eastern Area.

Q3.2. Is the settlement hierarchy defined in policy SP3 and tables 1 and 17 of the Plan appropriate and based on proportionate evidence?

Q3.3 Are the settlement boundaries defined on the Policies Map appropriate and based on proportionate evidence?

Q3.4. Does policy SP3 set out an effective and justified approach to allocating non-strategic sites at urban areas, rural service centres and service villages through neighbourhood plans?

3.2 AWE Aldermaston and AWE Burghfield (policies SP4 and DM33 and Appendix 3)

National policy expects planning policies to recognise and support development required for operational defence and security purposes and ensure that operational sites are not affected adversely by the impact of other development proposed in the area. Local planning authorities should consult the appropriate bodies for development around major hazard sites²⁶.

Paragraph 4.37 in the Plan advises that the two Atomic Weapons Establishments at Aldermaston and Burghfield in the Eastern Area of West Berkshire are core to supporting national defence and security. Paragraph 4.38 sets out the key legislation that applies as a result of the quantities and types of hazardous material involved. Paragraphs 4.44 to 4.58 summarise the provisions in that legislation relating to Detailed Emergency Planning Zones, Outer Consultation Zones and 12km Consultation Zones.

Policy SP4 states that planning permission is likely to be refused for development in the Detailed Emergency Planning Zones of AWE Aldermaston and AWE Burghfield and sets out consultation arrangements for different types of development in the 5km Outer Consultation Zones and 12km Consultation Zones for those establishments. The zones are defined on the Policies Map and indicated on maps in Appendix 3.

Q3.5. Is policy SP4 relating to development within the Detailed Emergency Planning Zones, the 5km Outer Consultation Zones, and 12km Consultation Zones around AWE Aldermaston and AWE Burghfield consistent with national policy and relevant legislation?

Paragraph 4.14 in the Plan advises that the two Atomic Weapons Establishments have significant implications for the future level of development in the Eastern Area.

The Council's response to PQ22 advises that there are two allocations within the Detailed Emergency Planning Zones, both of which have planning permission:

- RSA24 New Stocks Farm, Paices Hill, Aldermaston – 8 traveller pitches
- RSA12 Pondhouse Farm, Burghfield – 100 dwellings

The Council's response to PQ22 advises that, in addition to the above, there are two housing allocations and three employment allocations within the 5km Outer Consultation Zones:

- RSA8 Bath Road / Dorking Way, Calcot – 35 dwellings
- RSA13 North of A4 Bath Road, Woolhampton – 16 dwellings
- ESA4 Beenham Landfill, Pips Way, Beenham – 14,000 sqm floorspace
- ESA5 Northway Porsche, Grange Lane, Beenham – 6,400 sqm floorspace

²⁶ NPPF 97 and 45.

- ESA6 Padworth Lane, Padworth – 12,400 sqm

Q3.6. Have the Atomic Weapons Establishments been appropriately taken into account in the determination of the spatial strategy, including the choice of housing and employment allocations?

3.3 North Wessex Downs AONB (policy SP2)

Policy SP2 states that planning permission for major development in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) will be refused other than in exceptional circumstances and sets out various criteria to inform decision making for such proposals. Those criteria seem to reflect national planning policy²⁷.

There are ten sites for residential development allocated in the Plan in the AONB: RSA14 to RSA23. A total of 334 homes are proposed on those ten sites. The Council's Housing Background Paper²⁸ sets out what it considers to be the exceptional circumstances to justify allocating the ten sites for major residential development in the AONB based on the tests set out in national policy and policy SP2.

The Council's response to PQ30 proposes a modification to the reasoned justification to policy SP2 to clarify that proposals that meet the requirements of policies RSA14 to RSA23, along with other relevant policies in the Plan, will be deemed to be consistent with the development plan and national policy as exceptional circumstances have been demonstrated to justify allocating the sites.

Policy SP15 sets a requirement for the Hungerford and Lambourn neighbourhood plans to identify sites for 55 and 25 homes respectively. The Council's response to PQ31 proposes a modification to the reasoned justification to policy SP2 to clarify that if neighbourhood plans propose major development in the AONB they would need to demonstrate exceptional circumstances.

Q3.7. Is policy SP2 consistent with national policy relating to AONBs?

Q3.8. Have exceptional circumstances been demonstrated to justify allocating sites RSA14 to RSA23 having regard to national policy?

Q3.9. Is the Council's proposed modification to the reasoned justification of policy SP2 relating to policies RSA14 to RSA23 necessary to make the Plan sound and would it be effective in that regard?

Q3.10. Is the Council's proposed modification to the reasoned justification of policy SP2 relating to neighbourhood plans allocating sites for major development in the AONB necessary to make the Plan sound and would it be effective in that regard?

3.4. Housing requirements for neighbourhood areas

²⁷ NPPF 177 and footnote 60.

²⁸ HOU6 chapter 5.

National policy expects strategic policies to set out a housing requirement for designated neighbourhood areas which reflect the overall strategy for the pattern and scale of development and any allocations²⁹. Policies SP13, SP14 and SP15 in the submitted Plan include housing requirement figures of 50 and 25 dwellings for Hungerford and Lambourn respectively, with all other neighbourhood areas having a zero requirement.

The Council's response to PQ14 proposes the deletion of policies SP13, SP14 and SP15 and a modification to policy SP12 to state that the Council will supply a housing requirement figure for each neighbourhood area when a neighbourhood plan is being prepared or updated, and that any sites allocated in a neighbourhood plan would be additional to sites allocated in the Plan. The modification would also include in policy SP12 the requirement figures of 50 and 25 dwellings for Hungerford and Lambourn respectively.

The Council's response to PQ16 explains that the requirement figure for each neighbourhood area is based on evidence of housing land availability and the settlement hierarchy, with details being set out in Annex 2³⁰.

Q3.11. Are the housing requirement figures of 50 and 25 dwellings for Hungerford and Lambourn, and zero for all other designated neighbourhood areas, justified and consistent with national policy?

Q3.12. Are the Council's proposed modifications to policy SP12 (to state that the Council will supply a housing requirement figure for each neighbourhood area when a neighbourhood plan is being prepared or updated, and that any sites allocated in a neighbourhood plan would be additional to sites allocated in the Plan) necessary to make the Plan sound and would they be effective in that regard?

3.5 Settlement boundaries (policies SP1 and SP2)

Table 17 in Appendix 2 of the Plan lists all of the settlements in West Berkshire with settlement boundaries defined on the policies map. These include a number of smaller settlements in addition to the urban areas, rural service centres and service villages identified in the settlement hierarchy set out in policy SP2.

Policies SP1 and SP2 make clear that all land outside of settlement boundaries (including that within hamlets and isolated groups of dwellings) will be treated as open countryside where development will be more restricted as set out in policies DM1 and DM35.

I considered whether the settlement boundaries defined on the policies map are justified under issue 3.1 above.

Policy DM1 sets out criteria to assess whether, exceptionally, residential development should be permitted outside settlement boundaries. Policy DM35 sets

²⁹ NPPF 66.

³⁰ EXAM2 Annex 2.

out criteria relevant to the consideration of proposals for economic development in the countryside. I deal with those two policies under subsequent matters below.

Q3.13. Is the strategic approach of restricting development outside settlement boundaries set out in policies SP1 and SP2 justified and consistent with national policy?

3.6 Separation of settlements around Newbury and Thatcham

In order to prevent the coalescence of Newbury and Thatcham and to maintain the separate identity of the distinct settlements around both towns, policy DM2 states that development which would detract from the open or rural character of five gaps between settlements (which are defined on the policies map) will not be permitted and states that development will only be permitted if two criteria are met. The settlements named are Donnington; Enborne Row/Wash Water; Cold Ash; and Ashmore Green.

Q3.14. Is policy DM2 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?

3.7 Key Diagram

National policy expects local plans to indicate broad locations for development on a key diagram³¹. The Council's response to PQ17 proposes a modification to include a key diagram in the Plan.

Q3.15. Is the Council's proposed modification to include a key diagram in the Plan necessary to make the Plan sound and would it be effective in that regard?

3.8 Site selection methodology

Paragraph 6.11 of the Plan sets out various sources of housing land supply, including existing allocations to be carried forward, sites under construction, sites with planning permission and anticipated windfalls. Paragraph 6.21 explains that those sources of supply are not sufficient to meet the minimum housing requirement meaning that new allocations had to be identified (for around 1,800 dwellings). Paragraph 6.22 states that the approach to making new allocations was based on the spatial strategy and settlement hierarchy set out in policies SP1 and SP3 and consideration of the availability, suitability and viability of sites identified through the Housing and Economic Land Availability Assessment (HELAA) and sustainability appraisal. Further information is set out in the Council's Site Selection Methodology Paper³².

The Council's response to PQ21 summaries the reasonable alternatives that were considered when deciding which allocations to include in the Plan. This advises that a total of 50 sites identified as being potentially suitable through the HELAA were

³¹ NPPF 23.

³² SIT1, January 2023.

subject to sustainability appraisal for the regulation 18 draft Plan. Further updates were made to the HELAA following regulation 18 consultation as new sites came forward and other sites were removed. Potentially suitable sites were then subject to updated sustainability appraisal for the regulation 19 Plan.

All of the allocations are considered individually under subsequent matters; the following questions are solely concerned with the approach taken to selecting them and whether overall they are consistent with the Plan's spatial strategy.

Q3.16. (a) Were the sites allocated in the Plan selected on the basis of adequate and proportionate evidence? (b) Collectively, are the allocations consistent with the spatial strategy and settlement hierarchy set out in policies SP1 and SP3?

M4. North East Thatcham strategic site (policy SP17)

National policy advises that the supply of large numbers of new homes can often be best achieved through planning for larger scale developments including significant extensions to towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities³³.

Policy SP17 relates to a greenfield site of around 170 hectares on the north east edge of Thatcham around one kilometre from both the town centre and the railway station. To the south runs the A4 and Floral Way, and to the north lies the village of Bucklebury within woodland on top of a hill that forms part of the North Wessex Downs AONB. Not far to the east of the site is the existing village of Midgham³⁴.

Policy SP17 proposes approximately 1,500 new homes on the site during the plan period, at least 40% of which would be affordable. The new homes would be accompanied by local shops; a GP surgery; a primary school; early years provision; land for secondary school provision; a community centre; formal and informal sports pitches; other green infrastructure including a community park; and transport infrastructure including walking and cycling routes and improvements to existing roads.

4.1 Reasonable alternatives and the West Berkshire Strategic Vision 2050

The Council's response to PQ21 advises that a number of strategic options to distribute development across the district were considered during the preparation of the Plan (see issue 3.1 above). Once it had been decided to focus on Thatcham, a number of alternatives were considered, including through sustainability appraisal³⁵:

- 2,500 dwellings at North East Thatcham
- 1,500 dwellings at North East Thatcham
- 800 dwellings at Colthorp
- 100 dwellings in the Newbury/Thatcham Gap
- 250 dwellings at Henwick
- North East Thatcham and Henwick

The Council's response to PQ33 advises that the West Berkshire Strategic Vision was published in November 2022 and this provides the strategic context for development in Newbury and Thatcham to 2050 as required by national policy³⁶. A modification is proposed to the reasoned justification of policy SP17 to explain this.

Q4.1. Was the North East Thatcham site selected for allocation in the Plan following appropriate consideration of reasonable alternatives?

Q4.2. Is it necessary to modify the reasoned justification to policy SP17 to refer to the West Berkshire Strategic Vision 2050 in order to make the Plan sound?

³³ NPPF 73.

³⁴ SIT2c paragraphs 2.1 to 2.5.

³⁵ CD3a page 25.

³⁶ NPPF 22.

4.2 Infrastructure

Strategic policies should make sufficient provision for infrastructure and community facilities (including health, education and cultural)³⁷. National planning guidance recognises that where local plans propose large scale developments including significant extensions to towns, there may not be certainty and/or the funding secured for necessary strategic infrastructure at the time the plan is produced. Strategic policy-making authorities are therefore expected to demonstrate that there is a reasonable prospect that the proposals can be developed within the timescales envisaged following engagement with infrastructure providers³⁸.

Policy SP17 states that the North East Thatcham site will be masterplanned and delivered as a whole to achieve a comprehensive development with the provision of infrastructure, services, open space and facilities being timely and coordinated. Policy SP24 requires development to contribute to the delivery of relevant infrastructure projects included in the Infrastructure Delivery Plan (IDP)³⁹.

I deal with whether the references to masterplanning and the Infrastructure Delivery Plan in policies SP17 and SP24 will be effective in ensuring the timely and coordinated provision of infrastructure required in connection with the North East Thatcham development under issue 4.14 below. The following questions relate to various different types of infrastructure referred to in policy SP17, with reference where appropriate to specific aspects of the IDP.

4.3 Transport infrastructure

The transport assessment carried out during the preparation of the Plan⁴⁰ found that the North East Thatcham development could cause additional delays and congestion around key junctions along the A4 corridor, with through traffic diverting onto unsuitable routes. To address this, the assessment identifies a package of measures to encourage a shift to sustainable modes along with improvements to highway capacity and key junctions on the A4 corridor and Floral Way.

The Thatcham Growth Study includes an indicative list of on- and off-site transport infrastructure along with potential funding sources⁴¹. Its analysis indicates that a development of 2,480 dwellings, around 10,000 sqm of employment floorspace, 3,000 sqm of retail floorspace, a primary school and secondary school would generate around 1,900 trips on the existing road network in the morning peak hour, or around 1,500 if a 20% reduction in trips by that mode were to be achieved⁴².

The IDP includes figures of £22 million for a package of highway improvements and £3 million for improvements to Thatcham railway station in connection with the North East Thatcham proposals⁴³.

³⁷ NPPF 20.

³⁸ PPG ID: 61-059 and 060-20190315.

³⁹ INF1 (January 2023).

⁴⁰ INF3 Phase 1 Transport Assessment (December 2020) and INF4 Phase 2 Transport Assessment (July 2021).

⁴¹ SIT2c paragraphs 5.1 to 5.13, Figure 76 and Appendix 1.

⁴² SIT2c Appendix C: Access and Movement Report (June 2020).

⁴³ INF1 paragraph 5.29 and Table 1 Appendix 1.

Policy SP17 requires the provision of new and improved transport infrastructure and services including routes for vehicles, walkers and cyclists through the site; active travel improvements between the site and Thatcham town centre and the railway station; and improvements to the existing road network.

The Council's responses to PQ46 and SPQ46 advises that further work is being carried out in liaison with National Highways, Hampshire County Council and Network Rail to address a number of issues relating to the strategic and local road networks, including the Thatcham level crossing, and that statements of common ground are expected to be agreed by around the end of January 2024

Q4.3. What specific transport infrastructure projects and other measures are expected to be necessary to ensure the following in relation to the development proposed on the North East Thatcham allocation:

- (a) Appropriate opportunities to promote sustainable transport modes can be taken up.
- (b) Safe and suitable access to the site can be achieved for all users.
- (c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree at an appropriate time⁴⁴.

Q4.4. Will policy SP17, along with other relevant policies, be effective in ensuring the timely delivery of the necessary transport infrastructure projects and other measures to support development proposed at North East Thatcham?

4.4 Education infrastructure

Policy SP17 requires:

- Early years provision.
- A 2.5 form entry primary school and associated sports facilities to be provided on site by the developers.
- Land to make secondary school provision to meet the impact of the development, the nature and cost of which will be informed by a feasibility study undertaken at the applicants expense and prepared in collaboration with the Council and local stakeholders

The IDP includes figures of around £1.5m, £22m, and £5m for improvements to early years, primary and secondary education respectively taking account of the cumulative impact of development proposed in the Plan. It states that for North East Thatcham (and Sandleford) provision would need to be in place to meet the demand created by the development⁴⁵.

Q4.5. (a) Are the requirements of policy SP17 for early years, primary school and secondary school provision to meet the needs of the North East Thatcham development clear and unambiguous, and are they justified? (b) Will policy SP17, along with other relevant policies, be effective in ensuring that the provision is made in a timely and coordinated manner?

⁴⁴ NPPF 110.

⁴⁵ INF1 Appendix 1.

4.5 Health care infrastructure

Policy SP17 requires the provision of a 450 sqm GP surgery on the site to be offered to an appropriate body.

The NHS / Integrated Care Board representation advises that a 450 sqm GP surgery would be too small to operate effectively and therefore the Plan should be modified to require the developer to provide a serviced site suitable to accommodate a 1,000 sqm primary health care facility along with a financial contribution. The Burdwood Surgery representation indicates that it is at full capacity and therefore additional health care provision must be provided as part of the development. The Surgery would relocate to a new facility in the development, but not as a satellite site as this would not be economically viable or in line with NHS best practice.

The Council's response to SPQ4 advises that it continues to have regular dialogue with the Integrated Care Board but it considers that the final requirements for health care on the North East Thatcham site will only be established as part of the examination process.

Q4.6. (a) Is the requirement of policy SP17 for a 450 sqm GP surgery on the site justified, and would it be effective in ensuring that the additional need for primary health care arising from the development can be met? (b) Will policy SP17, along with other relevant policies, be effective in ensuring that the provision is made in a timely and coordinated manner?

4.6 Community infrastructure

Policy SP17 requires the provision of a 1,200 sqm indoor facility for sport and community uses with a variety of room sizes.

Q4.7. Is the requirement of policy SP17 for a 1,200 sqm indoor facility for sport and community uses on the site justified? Will policy SP17, along with other relevant policies, be effective in ensuring that the provision is made in a timely and coordinated manner?

4.7 Landscape and provision of green infrastructure

The site is located on the lower northern slopes of the Kennet Valley, rising towards the North Wessex Downs and Bucklebury Common. It comprises predominantly agricultural fields defined by mature hedgerows and trees along with areas of woodland. Three distinct landscape areas are found within the site. The north-western area is based around a 'bowl' valley, with parkland characteristics. Further south-east, a series of enclosed valleys and undulating terrain create a more intimate character, which begins to open out towards the east but faces into a strongly wooded gully. Beyond this dividing woodland, the eastern end of the site opens out to create open and expansive views over large fields and towards the south and east⁴⁶.

⁴⁶ SIT2c paragraph 2.80.

The site and adjoining countryside are included in the woodland and heathland mosaic landscape character area designated on the policies map. The Council's landscape evidence concludes that the site could accommodate areas of new development in some parts, providing it has regard to the setting and form of existing settlement and the character and sensitivity of adjacent landscape character areas. There are landscape and visual constraints and therefore the key landscape and visual characteristics must be retained and enhanced⁴⁷.

Policy SP17 requires the provision of a comprehensive green infrastructure network which takes account of the landscape features of value within and around the site informed by a Landscape and Visual Impact Assessment and a green infrastructure strategy. Green infrastructure will include outdoor formal and informal sports pitches and other areas of open space to meet the needs of the development; a new community park linking Thatcham to the AONB; and greenways through the site for walkers and cyclists.

The policies map, and the North East Thatcham map in the Plan, show three separate areas designated as country park connected by green links running along the northern boundary of the site.

The Thatcham Growth Study suggests that around 50% of the site be provided as green open space of various types⁴⁸.

Q4.8. Will policy SP17, along with other relevant policies, be effective in ensuring the provision of a comprehensive green infrastructure network on the site including outdoor formal and informal sports pitches and other areas of open space to meet the needs of the development; a new community park linking Thatcham to the AONB; and greenways through the site for walkers and cyclists?

Q4.9. Will policy SP17, along with other relevant policies, be effective in ensuring the development proposed is sympathetic to its landscape setting, and preventing harm to the AONB and other valued landscapes⁴⁹?

4.8 Flood risk and surface water

Whilst the site is at low risk of river flooding, there is risk of surface water flooding within the site and in Thatcham town⁵⁰.

Policy SP17 requires the provision of infrastructure for water supply and waste water on- and off-site, and surface water management approaches that could deliver net gain for Thatcham town, including on-site sustainable urban drainage systems.

The IDP refers to a network of reservoirs and detention basins in and around Thatcham and lists two specific projects costing £1.3m and £0.8m respectively⁵¹.

⁴⁷ LAN7e paragraph 1.7.

⁴⁸ SIT2c paragraph 2.43.

⁴⁹ NPPF 130c, 174a and 176.

⁵⁰ SIT2c paragraphs 2.48 to 2.57.

⁵¹ INF1 paragraph 5.77 and Appendix 1.

Q4.10. Will policy SP17, along with other relevant policies, be effective in ensuring that the development will be safe from flooding for its lifetime and will not increase flood risk elsewhere⁵²?

4.9 Air and noise pollution

The A4 runs along much of the site's southern boundary and is a potential source of noise and vibration. There is an Air Quality Management Area to the south west of the site⁵³.

Q4.11. (a) Is the location of the site suitable for the development proposed taking into account the likely effects of noise and pollution on the health and living conditions of future residents⁵⁴? (b) If so, will the Plan be effective in helping to ensure that any potential adverse effects will be adequately mitigated?

4.10 Affordable homes and housing mix

Policy SP17 requires at least 40% of the dwellings to be affordable homes, and for the development to comprise a housing mix which complies with Table 3 in the Plan. I consider policies SP18 (including Table 3) and SP19 relating to housing mix and affordable housing under matter 8; the following question is specifically concerned with whether the requirements are justified on the North East Thatcham allocation.

Q4.12. Are the requirements in policy SP17 for (a) at least 40% affordable homes and (b) a mix of house types that complies with Table 3 in the Plan on the North East Thatcham site justified, including in terms of need and viability?

4.11 Self build plots

National policy expects local plans to reflect the housing needs of different groups in the community, including people wishing to commission or build their own home. Local authorities are required to keep a register of those seeking to acquire serviced plots for their own self- or custom-build, and to give enough suitable development permissions to meet the identified demand⁵⁵.

Q4.13. Is the requirement in policy SP17 for at least 3% of dwellings to be delivered via serviced custom/self-build plots justified, including in terms of need and viability?

4.12 Biodiversity

There are no areas within the allocation that are internationally, nationally or locally designated for their biodiversity value. A priority habitat (grassland) is present on the site, and much of the upper slopes are designated as a biodiversity opportunity area in the Plan. There are significant areas of ancient woodland adjoining the site that

⁵² NPPF 159 and 167.

⁵³ SIT2c paragraphs 2.75 to 2.77.

⁵⁴ NPPF 185.

⁵⁵ NPPF 62 and footnote 28.

are designated as local wildlife sites, and evidence of protected and priority species nearby⁵⁶.

Policy SP17 requires an ecology strategy to set out how biodiversity net gain will be achieved; how priority habitats and ecological features will be protected and enhanced; the creation of new ecological features; and a site-wide management plan.

Q4.14. Will policy SP17, along with other relevant policies, be effective in minimising impacts on and providing net gains for biodiversity? In particular:
(a) Will sites of biodiversity value be protected and enhanced in a manner commensurate with their statutory status or identified quality⁵⁷?
(b) Will significant harm to biodiversity be avoided, adequately mitigated, or as a last resort compensated for⁵⁸?
(c) Will development avoid the loss or deterioration of any irreplaceable habitats⁵⁹?

4.13 Historic environment

There are no designated heritage assets in the allocation, although there are three grade II listed buildings in “excluded pockets” within the wider allocation boundary: a barn at Colthrop Manor, and a barn and cart shed at Siege Cross Farm. Archaeological remains are likely to be present on the site⁶⁰.

Policy SP17 requires a Historic Environment Strategy to demonstrate how the listed buildings in the area will be conserved and how the impact of the development on their setting has been considered. The Council’s response to PQ49 proposes a main modification to policy SP17 to include additional detail in this requirement, as agreed with Historic England.

Q4.15. Will policy SP17, along with other relevant policies, be effective in ensuring that the development proposed conserves and enhances the historic environment in accordance with national policy⁶¹? If not, would the Council’s proposed main modification ensure the Plan is sound in that respect?

4.14 Masterplanning and the Thatcham Strategic Growth Study

Policy SP17 states that the North East Thatcham site will be masterplanned and delivered as a whole to achieve a comprehensive development with the provision of infrastructure, services, open space and facilities being timely and coordinated. The policy requires various strategies to be prepared, relating to transport; energy; water supply and drainage; ecology; green infrastructure; public rights of way; lighting; and the historic environment.

⁵⁶ SIT2c paragraphs 2.58 to 2.64.

⁵⁷ NPPF 174.

⁵⁸ NPPF 180a.

⁵⁹ NPPF 180c and Annex 2 definition of irreplaceable habitat.

⁶⁰ SIT2c paragraphs 2.65 to 2.71.

⁶¹ NPPF section 16.

Policy SP17 requires proposals to demonstrate that they respond positively to the guiding principles provided in the Thatcham Strategic Growth Study. That Study comprises three documents⁶², the third of which (“Thatcham Future”) was published in September 2020 and sets out a potential vision and approach to strategic growth along with a concept masterplan and a series of frameworks for development of up to 2,500 new homes⁶³.

Q4.16. Does policy SP17 set out an effective approach to masterplanning to achieve the comprehensive development of the site along with the timely and coordinated provision of infrastructure and services? In particular:

(a) Is it clear who is responsible for preparing the various strategies referred to and the masterplan, what status those documents will have, and how they relate to each other and to the preparation and determination of planning applications?

(b) Will effective mechanisms be in place to ensure that all necessary physical, social and green infrastructure is provided in a timely and coordinated manner in relation to the proposed new homes?

Q4.17. (a) Is the requirement for proposals to respond positively to the guiding principles provided in the Thatcham Strategic Growth Study justified? (b) If so, does it provide a clear and unambiguous approach for the preparation of a masterplan and preparation and determination of planning applications?

4.15 Viability and delivery

Policy SP17 states that approximately 1,500 dwellings will be completed within the plan period. This assumes that development will start in 2029/30, with 150 dwellings being built each year for the following ten years⁶⁴. The Council’s response to PQ32 advises that no further development is expected on the site after 2039.

The site is being promoted, on behalf of the landowners, by a partnership comprising A2Dominion, Catesby Estates, Donnington New Homes and Ptarmigan Land⁶⁵. It did not have planning permission on 31 March 2022.

The Thatcham Strategic Growth Study (2020) includes a high level viability assessment for four scenarios relating to 2,500 homes and 2,300 homes (40% affordable) and different site access options. This found residual land values of around £175,000 per hectare based on the full site area of 172 hectares (excluding commercial development areas), or up to around £250,000 per hectare based on a net developable area of around 100 hectares. Those values compare to agricultural land value of around £31,000 and a benchmark land value of £230,000 to £250,000 based on strategic residential developments in other locations⁶⁶.

The Local Plan Review Viability Assessment stage 1 (Spring 2021) found that the development of 2,500 homes (40% affordable) on 172 hectares (120 hectares net) would have a residual land value of £265,000 per hectare, based on a sales value of

⁶² SIT2a, SIT2b and SIT2c.

⁶³ SIT2c paragraph 1.6.

⁶⁴ HOU6 Appendix 2 Housing trajectory.

⁶⁵ Representation by Lichfields on behalf of the North East Thatcham Partnership.

⁶⁶ SIT2c paragraphs 5.23 to 5.37.

£4,000 per sqm⁶⁷. The stage 2 assessment (Autumn 2022) found that a development of 1,500 homes (40% affordable) would have a residual land value of around £305,000 per hectare, based on an updated sales value of £4,750 per sqm⁶⁸. Both assessments were subject to sensitivity tests with higher and lower construction costs and sales values. Those residual land values compare to a benchmark land value of £250,000 per hectare.

Q4.18. Is there a reasonable prospect that development proposed at North East Thatcham could start in 2029/30, and that 1,500 dwellings could be viably developed, meeting all of the requirements of policy SP17 and other relevant policies, by 2039?

Q4.19. (a) Could more than 1,500 dwellings be satisfactorily accommodated on the North East Thatcham site, meeting all of the requirements of policy SP17 and other relevant policies? (b) If so, is it necessary to modify the reference in policy SP17 to refer to a different scale of development?

4.16 Policies map

The policies map⁶⁹ shows the extent of the allocation with its boundaries being within, or coinciding with, the settlement boundary to Thatcham. The policies map illustrates three proposals within the allocation: a country park (three separate areas); green links; and a car park.

Paragraph 6.58 in the Plan states that the new revised settlement boundary will be defined following the studies and work identified in policy SP17.

Regulation 9(1)(c) of the 2012 Regulations states that the adopted policies map must illustrate geographically the application of the policies in the adopted development plan.

Q4.20. Does the settlement boundary shown on the submitted policies map need to be changed around the North East Thatcham allocation? How could a new revised settlement boundary be defined on the adopted policies map following the studies and work identified in policy SP17?

Q4.21. Are the areas within the allocation defined on the policies map as country park and green links justified, and will they be effective in illustrating geographically the application of relevant parts of policy SP17?

Q4.22. Which policy in the Plan does the car park designated on the policies map relate to?

4.17 North East Thatcham map

⁶⁷ VIA1a paragraphs 3.1.56 to 3.1.67 and VIA1c Table 1p.

⁶⁸ VIA1a paragraphs 3.2.29 to 3.2.37 and VIA1d Table 2g.

⁶⁹ CD2 (interactive version).

The Plan contains a map entitled North East Thatcham which indicates the site boundary, the three designations within the site shown on the policies map, and a number of other designations nearby including the AONB, ancient woodland and an active mineral working.

Q4.23. Is the purpose of the North East Thatcham map in the Plan, and its relationship with the policies map, clear and unambiguous?

M5. Sandlesford Park strategic site (policy SP16)

Policy SP16 allocates 134 hectares of land at Sandlesford Park on the southern edge of Newbury for around 1,500 dwellings, 40% of which would be affordable homes, along with a local retail centre, business employment (sic), a new primary school, an extension to an existing school, transport infrastructure and green infrastructure. Development will be limited to the north and west of the site, with a country park or equivalent area of public open space being provided on the southern part of the site.

The eastern part of the site has outline planning permission and is controlled by Bloor Homes. The Council expects that 1,080 dwellings will be built on this area between 2025 and 2036.

The western part of the site did not have planning permission on 31 March 2022. It is controlled by Donnington New Homes and 500 dwellings are expected to be built on this area between 2027 and 2037.

5.1 West Berkshire Strategic Vision

The Council's response to PQ33 advises that the development proposed on the Sandlesford site is in the context of the West Berkshire Strategic Vision which looks ahead to 2050. The Council proposes modifications to paragraphs 4.11, 6.41 and 6.42 in the Plan to refer to this.

Q5.1. Is it necessary to modify the reasoned justification to policy SP16 to refer to the West Berkshire Strategic Vision 2050 in order to make the Plan sound?

5.2 Transport

Hampshire County Council's representation raises concerns about the impact the development proposed in the Plan, including the 1,500 homes on the Sandlesford strategic site (policy SP16), could have on the A339 in Hampshire. They suggest that any evidence provided about the provision of access to the A339 should consider wider strategic routes including the A34. The Council expects to agree a statement of common ground with Hampshire County Council by around the end of January 2024.

Q5.2. What specific transport infrastructure projects and other measures are expected to be necessary to ensure the following in relation to the development proposed on the Sandlesford Park allocation: (a) Appropriate opportunities to promote sustainable transport modes can be taken up. (b) Safe and suitable access to the site can be achieved for all users. (c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree at an appropriate time ⁷⁰ .
--

⁷⁰ NPPF 110.

Q5.3. Will policy SP16, along with other relevant policies, be effective in ensuring the timely delivery of the necessary transport infrastructure projects and other measures to support the development proposed at Sandford Park?

5.3 Comprehensive development and infrastructure provision

Policy SP16 requires comprehensive development and the timely and coordinated provision of infrastructure, and expects proposals to have regard, and positively respond to, the Sandford Park supplementary planning document adopted in 2015⁷¹.

Q5.4. Does policy SP16 set out an effective approach to achieving the comprehensive development of the Sandford Park site along with the timely and coordinated provision of infrastructure and services? In particular:

(a) The expectation that proposals have regard, and respond positively, to the supplementary planning document adopted in 2015?

(b) Will effective mechanisms be in place to ensure that all necessary physical, social and green infrastructure is provided in a timely and coordinated manner in relation to the 1,500 new homes?

5.4 Viability and delivery

Q5.5. Is there a reasonable prospect that 1,500 dwellings could be viably developed on the site, meeting all of the requirements of policy SP16, other relevant policies, and the supplementary planning document, during the plan period?

5.5 Settlement boundary

The policies map⁷² shows the northern and western parts of the site within the settlement boundary to Newbury, with much of the allocation being outside the boundary.

Policy SP16 states that a country park or equivalent area of public open space will be provided on the southern part of the site which will be retained outside of the settlement boundary for Newbury.

Q5.6. Is the Newbury settlement boundary defined on the policies map justified in relation to the allocation, and will it be effective in the implementation of policy SP16?

⁷¹ SIT5.

⁷² CD2 (interactive version).

M6. Non strategic housing allocations

Chapter 8 in the Plan contains policies RSA1 to RSA23 relating to non-strategic allocations for residential development⁷³. They are set out in three sections, relating to the three spatial areas referred to in policy SP1.

Each allocation policy sets out the “parameters” which the development will be required to be in accordance with. Each is accompanied by a map showing the site boundary and potential access point and, in some cases, other information relating to the proposed development such as walking and cycling links and green infrastructure. The allocations are also designated on the policies map.

The Council’s response to PQ14 proposes main modifications to chapter 8 to include additional reasoned justification summarising the approach to allocating sites in each of the three spatial areas and summary tables listing each allocation along with the approximate number of dwellings expected to be built.

The Council’s housing trajectory 2022/23 – 2038/39⁷⁴ provides information for each site including whether it is a new allocation or one retained from the existing adopted development plan; whether it has planning permission; when development is expected to start; the number of dwellings expected to be built each year; and the total number of dwellings. I refer to relevant information from the housing trajectory for each site below.

6.1 Non strategic allocations: Newbury and Thatcham

There are five non strategic residential allocations in the Newbury and Thatcham spatial area, all of which are retained from the exiting adopted development plan. Four have full planning permission, and the other has outline permission.

RSA1 Newbury College, Newbury (15 dwellings)

This is a retained allocation with full planning permission. It is controlled by Feltham Properties and 16 dwellings are expected to be completed in 2027/28.

Q6.1. Is there a reasonable prospect that allocation RSA1 will be available and at least 15 dwellings could be viably developed during the plan period?

Q6.2. Are the development parameters in policy RSA1 justified, and will they be effective in achieving sustainable development on the site (if the current planning permission is not implemented)?

RSA2 Bath Road, Speen (100 dwellings)

This is a retained allocation with outline planning permission for 107 dwellings and full permission for 11 dwellings. It is controlled by David Wilson Homes and 11

⁷³ Chapter 8 also includes policies RSA24 and RSA25 relating to traveller accommodation, and ESA1 to ESA6 relating to employment allocations; those policies are considered under subsequent matters.

⁷⁴ HOU6 Appendix 2 (January 2023) and HOU2b (November 2022).

dwellings are expected to be completed in 2022/23, with the remainder between 2027/28 and 2031/32.

The Council's response to PQ49 suggests that a main modification to policy RSA2 may be needed to better highlight the sensitivities of the Speen Conservation Area. This would be set out in a statement of common ground to be agreed with Historic England.

The site is within the hydrological catchment of the River Lambourn Special Area of Conservation which is vulnerable to changes in water quality from nutrients. Policy RSA2 therefore requires the development to demonstrate nutrient neutrality through a project level HRA and for mitigation to be in place and operational prior to any nutrient pollution being discharged. In responding to the following question, regard should be had to the relevant provisions in the Levelling Up and Regeneration Act 2023, including Part 7 and Schedule 15 relating to assumptions to be made about nutrient pollution levels in waste water from potential development to be dealt with by certain sewage disposal works.

Q6.3. Is there a reasonable prospect that allocation RSA2 will be available and at least 100 dwellings could be viably developed during the plan period? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be in place and operational?

Q6.4. Are the development parameters in policy RSA2 justified, and will they be effective in achieving sustainable development on the site? In particular, is a main modification required to ensure policy RSA2 is effective with regard to the Speen Conservation Area?

RSA3 Coley Farm, Newbury (75 dwellings)

This is a retained allocation with full planning permission. It is controlled by Donnington New Homes and 75 dwellings are expected to be built between 2022/23 and 2024/25.

Q6.5. Is there clear evidence to indicate that 75 dwellings will not be built on allocation RSA3 by 2026/7?

Q6.6. Are the development parameters in policy RSA3 justified, and will they be effective in achieving sustainable development on the site (if the current planning permission is not implemented)?

RSA4 Greenham Road, Newbury (160 dwellings)

This is a retained allocation with full planning permission. It is controlled by Persimmon Homes and 157 dwellings are expected to be built between 2023/24 and 2025/26.

A significant part of the allocation is outside the settlement boundary defined on policies map; that area is similar to an area designated as "required open space /

biodiversity buffer” on the site map in the Plan. Policy RSA4 part g(ii) refers to the central part of the site being established as public open space with that land being retained outside of the settlement boundary.

Q6.7. Is there clear evidence to indicate that 160 dwellings will not be built on allocation RSA4 by 2026/27?

Q6.8. Are the development parameters in policy RSA4 justified, and will they be effective in achieving sustainable development on the site (if the current planning permission is not implemented)?

Q6.9. Is the Newbury settlement boundary defined on the policies map justified in relation to the allocation, and will it be effective in the implementation of policy RSA4?

RSA5 Lower Way, Thatcham (85 dwellings)

This is a retained allocation with full planning permission. It is controlled by Persimmon Homes and 91 dwellings are expected to be built between 2023/24 and 2025/26.

Q6.10. Is there clear evidence to indicate that 85 dwellings will not be built on allocation RSA5 by 2026/27?

Q6.11. Are the development parameters in policy RSA5 justified, and will they be effective in achieving sustainable development on the site (if the current planning permission is not implemented)?

6.2 Non strategic allocations: Eastern Area

There are eight non strategic housing allocations in the Eastern Area, four of which have planning permission whilst the other four do not.

RSA6 Stoneham’s Farm, Tilehurst (C2 care home)

This site is controlled by GCH (Five) Ltd and has full planning permission for a 64 bed care home granted in August 2021⁷⁵.

Q6.12. Is there a reasonable prospect that allocation RSA6 will be available and a 64 bed care home could be viably developed during the plan period?

Q6.13. Are the development parameters in policy RSA6 justified, and will they be effective in achieving sustainable development on the site (if the current planning permission is not implemented)?

RSA7 Purley Rise, Purley (35 dwellings)

⁷⁵ HOU2b.

This is a retained allocation with full planning permission. It is controlled by Shanly Homes and 29 dwellings are expected to be built between 2023/24 and 2024/25.

Q6.14. Is there clear evidence to indicate that 35 dwellings will not be built on allocation RSA7 by 2024/25?

Q6.15. Are the development parameters in policy RSA7 justified, and will they be effective in achieving sustainable development on the site (if the current planning permission is not implemented)?

RSA8 Bath Road / Dorking Way, Calcot (35 dwellings)

This is a retained allocation without planning permission. It is not controlled by a developer. 35 dwellings are expected to be built between 2027/28 and 2029/30.

Q6.16. Is there a reasonable prospect that allocation RSA8 will be available and at least 35 dwellings could be viably developed during the plan period?

Q6.17. Are the development parameters in policy RSA8 justified, and will they be effective in achieving sustainable development on the site?

RSA9 A340 / The Green, Theale (100 dwellings)

This is a retained allocation, and the site is not owned by a developer. It has outline planning permission, and 104 dwellings are expected to be built between 2027/28 and 2031/32.

Q6.18. Is there a reasonable prospect that allocation RSA9 will be available and could be viably developed for 100 dwellings during the plan period?

Q6.19. Are the development parameters in policy RSA9 justified, and will they be effective in achieving sustainable development on the site?

RSA10 Whitehart Meadow, Theale (40 dwellings)

This is a new allocation without planning permission on 31 March 2022. 40 dwellings are expected to be built between 2027/28 and 2028/29. The site lies immediately to the south east of allocation RSA11, and a walk and cycle link between the two developments is indicated on the site maps in the Plan.

Q6.20. Is there a reasonable prospect that allocation RSA10 will be available and at least 40 dwellings could be viably developed during the plan period?

Q6.21. Are the development parameters in policy RSA10 justified, and will they be effective in achieving sustainable development on the site?

RSA11 Former sewage treatment works, Theale (60 dwellings)

This is a new allocation without planning permission on 31 March 2022. 60 dwellings are expected to be built between 2027/28 and 2029/30. The site lies immediately to the north west of allocation RSA10, and a walk and cycle link between the two developments is indicated on the site maps in the Plan.

Q6.22. Is there a reasonable prospect that allocation RSA11 will be available and at least 60 dwellings could be viably developed during the plan period?

Q6.23. Are the development parameters in policy RSA11 justified, and will they be effective in achieving sustainable development on the site?

RSA12 Pondhouse Farm, Burghfield Common (100 dwellings)

This is a retained allocation with full planning permission. It is controlled by Croudace Homes and 100 dwellings are expected to be built between 2022/23 and 2024/25.

The Atomic Weapons Establishment objects to the allocation as it is located within the Detailed Emergency Planning Zone (DEPZ) of AWE Burghfield. The Council's response to PQ14 advises that when the DEPZ was reconsidered in 2020, the dwellings that had been granted permission in 2019 were included in the detailed calculations undertaken by Emergency Planning.

Q6.24. Is there clear evidence to indicate that 100 dwellings will not be built on allocation RSA12 by 2024/25?

Q6.25. Are the development parameters in policy RSA12 justified, and will they be effective in achieving sustainable development on the site (if the current planning permission is not implemented)? In particular, if the extant planning permission were not to be implemented, should the site remain undeveloped due to it being within the Detailed Emergency Planning Zone (DEPZ) of AWE Burghfield?

RSA13 A4 Bath Road, Woolhampton (16 dwellings)

This is a new allocation without planning permission on 31 March 2022. 16 dwellings are expected to be built between 2027/28 and 2028/29.

Q6.26. Is there a reasonable prospect that allocation RSA13 will be available and at least 16 dwellings could be viably developed during the plan period?

Q6.27. Are the development parameters in policy RSA13 justified, and will they be effective in achieving sustainable development on the site?

6.3 Non strategic allocations: North Wessex Downs AONB

Seven of the ten non strategic residential allocations in the North Wessex Downs AONB are within the hydrological catchment of the River Lambourn Special Area of Conservation which is vulnerable to changes in water quality from nutrients. The relevant allocation policies therefore require the development to demonstrate nutrient neutrality through a project level HRA and for mitigation to be in place and

operational prior to any nutrient pollution being discharged. In responding to the questions about those allocations, regard should be had to the relevant provisions in the Levelling Up and Regeneration Act 2023, including Part 7 and Schedule 15 relating to assumptions to be made about nutrient pollution levels in waste water from potential development to be dealt with by certain sewage disposal works.

RSA14 Lynch Lane, Lambourn (60 dwellings)

This is a retained allocation without planning permission. It is controlled by Hygrove Homes Ltd and 60 dwellings are expected to be built between 2027/28 and 2029/30.

Q6.28. Is there a reasonable prospect that allocation RSA14 will be available and at least 60 dwellings could be viably developed during the plan period? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be likely to be in place and operational?

Q6.29. Are the development parameters in policy RSA14 justified, and will they be effective in achieving sustainable development on the site?

RSA15 Newbury Road, Lambourn (5 dwellings)

This is a retained allocation with full planning permission. It is controlled by Palady Homes and 8 dwellings expected to be built in 2027/28.

Q6.30. Is there a reasonable prospect that allocation RSA15 will be available and at least 5 dwellings could be viably developed during the plan period? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be likely to be in place and operational?

Q6.31. Are the development parameters in policy RSA15 justified, and will they be effective in achieving sustainable development on the site?

RSA16 Southend Road, Bradfield Southend (20 dwellings)

This is a new allocation without planning permission on 31 March 2022. It is being promoted by Rivar Limited and 20 dwellings are expected to be built between 2027/28 and 2028/29.

Q6.32. Is there a reasonable prospect that allocation RSA16 will be available and at least 20 dwellings could be viably developed during the plan period?

Q6.33. Are the development parameters in policy RSA16 justified, and will they be effective in achieving sustainable development on the site?

RSA17 Chieveley Glebe, Chieveley (15 dwellings)

This is a new allocation without planning permission on 31 March 2022. 15 dwellings are expected to be built between 2028/29 and 2029/30.

The Council's response to PQ49 suggests that a main modification to policy RSA17 may be needed with regard to the historic environment. This would be set out in a statement of common ground to be agreed with Historic England.

The landowner / site promoter suggests that part of the site could be provided as a burial ground⁷⁶, which is supported by the Chieveley Parish Council.

Q6.34. Is there a reasonable prospect that allocation RSA17 will be available and at least 15 dwellings could be viably developed during the plan period? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be likely to be in place and operational?

Q6.35. Are the development parameters in policy RSA17 justified, and will they be effective in achieving sustainable development on the site? In particular, are main modifications required to:
(a) ensure the policy is effective with regard to the historic environment.
(b) propose a burial ground as part of the development.

RSA18 Pirbright Institute, Compton (140 dwellings)

This is a retained allocation subject to an adopted SPD and an outline planning permission for 160 dwellings, subject to section 106. It is controlled by Homes England and 160 dwellings are expected to be built between 2027/28 and 2030/31.

The site map in the Plan indicates the southern part of the allocation is at risk of flooding and partly designated as local green space in the Compton Neighbourhood Plan, and a landscape buffer on the northern part of the site.

Q6.36. Is there a reasonable prospect that allocation RSA18 will be available and at least 140 dwellings could be viably developed during the plan period?

Q6.37. Are the development parameters in policy RSA18 justified, and will they be effective in achieving sustainable development on the site?

RSA19 Spring Meadows, Great Shefford (15 dwellings)

This is a new allocation without planning permission on 31 March 2022. 15 dwellings are expected to be built between 2027/28 and 2028/29.

Q6.38. Is there a reasonable prospect that allocation RSA19 will be available and at least 15 dwellings could be viably developed during the plan period? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be likely to be in place and operational?

Q6.39. Are the development parameters in policy RSA19 justified, and will they be effective in achieving sustainable development on the site?

⁷⁶ Representation from the Diocese of Oxford.

RSA20 Charlotte Close, Hermitage (15 dwellings)

This is a retained allocation with full planning permission. It is controlled by Deanfield Homes Limited and 16 dwellings are expected to be built in 2023/24.

Q6.40. Is there compelling evidence that 15 dwellings on allocation RSA20 will not be built by 2026/27? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be likely to be in place and operational?

Q6.41. Are the development parameters in policy RSA20 justified, and will they be effective in achieving sustainable development on the site?

RSA21 Old Farmhouse, Hermitage (10 dwellings)

This is a retained allocation with outline planning permission. It is controlled by T A Fisher and Sons, and 21 dwellings are expected to be built between 2027/28 and 2028/29.

Q6.42. Is there a reasonable prospect that allocation RSA21 will be available and at least 10 dwellings could be viably developed during the plan period? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be likely to be in place and operational?

Q6.43. Are the development parameters in policy RSA21 justified, and will they be effective in achieving sustainable development on the site?

RSA22 Station Road, Hermitage (34 dwellings)

This is a new allocation without planning permission on 31 March 2022. The Council expects 34 dwellings to be built between 2028/29 and 2030/31, whereas the landowners / promoters suggest 47 dwellings could be accommodated⁷⁷.

The Council's response to PQ49 proposes a main modification to policy RSA22 part k to refer to a nearby scheduled monument and to an archaeological assessment, as agreed with Historic England.

Q6.44. Is there a reasonable prospect that allocation RSA22 will be available and at least 34 dwellings could be viably developed during the plan period? In particular, what type of mitigation is likely to be required to achieve nutrient neutrality, and when would that mitigation be likely to be in place and operational?

Q6.45. Are the development parameters in policy RSA22 justified, and will they be effective in achieving sustainable development on the site? In particular, is a main modification required to ensure the policy is effective with regard to the historic environment?

⁷⁷ Representation from Wey Planning on behalf of F Baker and P White.

RSA23 The Haven, Kintbury (20 dwellings)

This is a new allocation without planning permission on 31 March 2022. The Council expects 20 dwellings to be built between 2027/8 and 2028/29, although the landowner / promoter, Sovereign Housing Association Limited, suggests it could accommodate 35 dwellings.

Q6.46. Is there a reasonable prospect that allocation RSA23 will be available and at least 20 dwellings could be viably developed during the plan period?

Q6.47. Are the development parameters in policy RSA23 justified, and will they be effective in achieving sustainable development on the site?

M7. Housing land supply

Paragraphs 6.11 to 6.23 in the Plan describe various sources of housing land supply. However, the Plan does not set out what the overall total supply of net additional dwellings is expected to be from those sources. The Council's response to PQ25 proposes modifications to the reasoned justification to policy SP12 to clarify the total supply identified in the Plan from the various sources.

The modifications proposed by the Council in response to PQ25 also update the housing land supply information to include 160 dwellings that have an extant planning permission on an unallocated site that had not been included in the commitment figures, and 280 additional windfalls to reflect the proposed extension of the plan period to 2041. The total supply identified in the proposed modifications is 9,577 dwellings for the period 2022 to 2041.

I consider under subsequent issues whether the assumptions made about the number of dwellings from each source of supply is justified. Q7.1 is strictly concerned with whether, in principle, the Plan should be modified as suggested by the Council to clarify what the total housing land supply is (irrespective of the figures).

Q7.1. Are the Council's proposed modifications to the reasoned justification to policy SP12 aimed at clarifying the overall housing land supply necessary to make the Plan sound and are they, in principle (irrespective of the figures), effective in that regard?

7.1 Allocations in existing plans retained and included in the Plan

Allocations in existing plans that are retained and included in the Plan are collectively expected to deliver 2,570 dwellings in the plan period (1,580 at Sandford Park and the remaining 990 on 14 non strategic allocations). These allocations were considered under matters 5 and 6, including whether the numbers of dwellings assumed to be built on them is justified. If you wish to respond to the following question, it should be based on, but not repeat, your responses to the questions about the relevant sites under matters 5 and 6.

Q7.2. Is the assumption that a total of 2,570 dwellings will be completed in the plan period on the 15 allocations retained from existing plans justified?

7.2 Stratfield Mortimer neighbourhood plan

Land to the south of St John's School, The Street, Stratfield Mortimer is allocated in the Neighbourhood Plan and was under construction in 2022. A total of 82 dwellings are expected to be completed by 2027⁷⁸.

Q7.3. Is the assumption that 82 dwellings will be completed in the plan period on land to the south of St John's School, The Street, Stratfield Mortimer justified?

7.3 Allocations in existing plans not retained because under construction

⁷⁸ HOU6 Appendix 2 Housing Trajectory.

Q7.4. Is the assumption that a total of 721 dwellings will be completed in the plan period on 8 allocations in existing plans that are not being carried forward in the Plan as they are at an advanced stage of construction justified?

7.4 Unallocated sites with planning permission / under construction

Q7.5. Is the assumption that a total of 2,229 dwellings⁷⁹ will be completed in the plan period on unallocated sites that are under construction or have planning permission justified?

7.5 New allocations in the Plan

The new allocations in the Plan, which comprise the North East Thatcham strategic site (1,500 dwellings) and 8 non strategic allocations (total 220 dwellings) were considered under matters 4 and 6, including whether the numbers of dwellings assumed to be built on them is justified. If you wish to respond to the following question, it should be based on, but not repeat, your responses to the questions about the relevant sites under matters 4 and 6.

Q7.6. Is the assumption that a total of 1,720 dwellings will be completed in the plan period on the 9 new allocations in the Plan justified?

7.6 Sites to be allocated in neighbourhood plans

The Plan assumes that 55 dwellings will be built on sites to be allocated in the Hungerford neighbourhood plan and 25 on sites to be allocated in the Lambourn neighbourhood plan. The Council's response to PQ14 proposes a main modification to the reasoned justification to policy SP12 to state that the delivery of these neighbourhood plans will be monitored by the Council and that the Council reserves the right to identify opportunities to address any shortfall if the Hungerford and Lambourn neighbourhood plans are not adopted within two years of the adoption of the Plan.

Q7.7. Is the assumption that a total of 80 dwellings will be completed in the plan period on sites to be allocated in the Hungerford and Lambourn neighbourhood plans, or through other opportunities identified by the Council, justified?

7.7 Windfall allowance

In addition to the specific sites for residential development identified in the Plan, policy SP1 supports development and redevelopment within the settlement boundaries of the urban areas, rural service centres, service villages and smaller settlements listed in policy SP3 Table 1 and Appendix 2 Table 17. The Plan assumes a small site windfall allowance of 140 dwellings per year. This amounts to at total of 1,949 for the period 2022 to 2039, or 2,118 for the modified period 2022 to 2041. No allowance is made for windfalls of 10 or more dwellings.

⁷⁹ Total includes a contribution of 57 dwellings from C2 residential institute accommodation that has planning permission.

Q7.8. Does a windfall allowance of 140 dwellings per year represent a reliable source of supply having regard to the strategic land availability assessment, historic delivery rates and expected future trends⁸⁰?

7.8 Five year housing land requirement and supply

Planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period. This should include a buffer (moved forward from later in the plan period) of 5%, or 20% where there has been significant under delivery of housing over the previous three years. The Council will need to update annually a supply of specific, deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement in the Plan once it has been adopted⁸¹. Where strategic policy-makers have successfully argued through plan-making and examination for a requirement set out as a range, the five year land supply will be measured against the lower end of the range⁸².

The Council's response to PQ26 states that the five year requirement on 1 April 2022 was 2,693 dwellings based on the minimum requirement of 513 dwellings per year. Based on the target of 538 dwellings per year, the five year requirement was 2,825 dwellings. Both figures include a 5% buffer.

Q7.9. If the housing requirement range of 513 to 538 dwellings per year in policy SP12 is justified, what was the five year requirement on 1 April 2022?

National policy advises that to be considered deliverable, sites for housing 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 years⁸³.

The Council's response to PQ27 advises that on 1 April 2022 there was a total of 3,448 dwellings that it considers will be delivered within five years (ie by 31 March 2027):

- | | |
|--|-------|
| • Sites with full permission or outline permission <10 dwellings | 2,922 |
| • Sites with outline planning permission 10 or more dwellings | 200 |
| • Communal accommodation (dwelling equivalent) | 57 |
| • Windfall allowance for sites <10 dwellings | 269 |
| • Total | 3,448 |

National policy states that sites with detailed planning permission or sites with outline permission for fewer than 10 dwellings should be considered deliverable until permission expires unless there is clear evidence that homes not be delivered within five years. Other sites should only be considered deliverable where there is clear evidence that housing completions will begin on the site within five years⁸⁴.

⁸⁰ NPPF 71.

⁸¹ NPPF 68 and 74.

⁸² PPG ID: 68-027-20190722.

⁸³ NPPF Annex 2.

⁸⁴ NPPF Annex 2.

Appendix 8 in the Plan sets out a housing trajectory. Further details about the trajectory are included in the Housing Background Paper⁸⁵. The Council's response to PQ27 summarises the evidence that it considers justifies the five year supply it has identified. Some of the sites included in the Council's five year supply are allocations considered under matters 5 and 6, including whether the numbers of dwellings assumed to be built on them within five years is justified. If you wish to respond to the following question, it should be based on, but not repeat, your responses to the questions about the relevant sites under matters 5 and 6

Q7.10. Is the Council's assessment that there was a deliverable supply of 3,448 dwellings on 1 April 2022 justified? In particular:

- (a) Is there clear evidence to demonstrate that any of the 2,922 dwellings on sites with full permission or outline planning permission for fewer than 10 dwellings will not be delivered by 31 March 2027?
- (b) Is there clear evidence to demonstrate that 200 dwellings will be delivered by 31 March 2027 on SP16 Sandlford Park which has outline permission for 1,080 dwellings?
- (c) Is the inclusion of 57 dwellings based on communal accommodation justified?
- (d) Is the inclusion of a windfall allowance of 269 dwellings justified?

The Council's response to PQ29 advises that, due to the high rates of completions expected between 2022 and 2025, the trajectory shows delivery rates falling in subsequent years. It goes on to state that the five year housing land supply assessment will be reviewed on an annual basis to ensure that the Council can maintain an ongoing five year supply. A modification to the housing trajectory graph in Appendix 8 is proposed to include additional lines showing the annual average minimum requirement of 513 dwellings and the residual annual requirement taking account of completions since 2022.

National guidance advises that any shortfalls in delivery from the base date of an adopted plan should be added to the requirement for the next five year period, then the appropriate buffer should be added. Where areas deliver more completions than required, the additional supply can be used to offset any shortfalls against requirements from previous years⁸⁶.

Q7.11. Does the housing trajectory demonstrate that a supply of specific, deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement in the Plan will be maintained annually?

7.9 Overall housing supply for the plan period

Policy SP12 in the submitted Plan aims to make provision for 8,721 to 9,146 net additional homes between 2022 and 2039. The land supply for the period 2022 to 2039 identified in the submitted Plan could accommodate 9,137 net additional dwellings, which represents a shortfall of 9 dwellings against the target of 9,146.

⁸⁵ HOU6 Appendices 1, 2 and 3.

⁸⁶ PPG ID: 68-031-20190722 and 68-032-20190722.

The Council has proposed a modification to policy SP12 to refer to 9,747 to 10,222 net additional homes between 2022 and 2041. The Council considers that the Plan identifies land to accommodate 9,577 net additional dwellings between 2022 and 2041 which represents a shortfall of 645 dwellings against the target of 10,222.

Q7.12 (a) Does the Plan need to be modified to identify additional deliverable sites and/or developable sites and/or broad locations in order to be consistent with national policy relating to meeting housing need⁸⁷? (b) If so, what would be reasonable alternatives in the context of the spatial strategy set out in policy SP1?

⁸⁷ NPPF 11, 60 and 68.

M8. Requirements of housing developers

8.1 Affordable housing (policy SP19)

National policy expects strategic policies to make provision for objectively assessed needs for housing other in defined circumstances, and sets out various requirements and criteria relating specifically to affordable housing⁸⁸.

Paragraph 6.78 in the Plan refers to a need for 330 affordable homes per year, and policy SP19 sets out various requirements for the provision of affordable homes in market-led residential development schemes. The Council's response to PQ38 seems to indicate that policy SP19 is not expected to meet the identified need for affordable homes in full, and the reasoned justification to policy SP19 refers to the requirements being informed by viability evidence.

The requirement in policy SP19 for all affordable homes to be built to net zero carbon standards will be considered under issue 8.6 below.

Policies DM16 and DM17 relating to First Homes exception sites and rural exception sites are dealt with under matter 9.

Q8.1. Are the requirements relating to affordable housing in policy SP19 justified and consistent with national policy, and will they be effective in ensuring that the overall need for new homes is met whilst maximising the delivery of additional affordable homes. In particular:

- (a) Does the viability evidence indicate that the requirements for 20%, 30% and 40% in different types of residential development are achievable?
- (b) Is the requirement for affordable housing provision on sites of between five and nine dwellings justified having regard to NPPF 64 and the Council's response to PQ39?
- (c) The approach to site specific viability assessments and review mechanisms having regard to PPG ID:10-07 to 10-09.
- (d) The approach to on- and off-site provision, having regard to NPPF 63.
- (e) The requirements relating to tenure split and First Homes having regard to NPPF 65 and PPG ID:70-013-20210524.
- (f) The requirement for 20% affordable private rent units in 100% build to rent schemes having regard to PPG ID:60.
- (g) The approach to affordable housing provision in extra care housing schemes.

8.2 Density of housing development (policy SP1)

National policy expects plans to contain policies to optimise the use of land, including through the use of minimum density standards for city and town centres and other locations that are well served by public transport, and in other areas if appropriate⁸⁹.

Policy SP1 sets out different requirements for the density of residential development in different parts of West Berkshire.

⁸⁸ NPPF 11b, 62 to 65, 72, and 78.

⁸⁹ NPPF 124 to 125.

Q8.2. Are the requirements relating to the density of residential development in policy SP1 justified and consistent with national policy, and will they be effective in optimising the use of land and achieving well-designed places?

8.3 Housing type and mix (policy SP18)

National policy expects planning policies to reflect the size, type and tenure of housing needed for different groups in the community. Policies should make use of the Government's optional technical standards for accessible and adaptable housing where this would address an identified need for such properties⁹⁰.

Q8.3. Are the requirements of policy SP18 justified and consistent with national policy, and will they be effective in meeting the housing needs of different groups in the community? In particular:

- (a) The requirement for all developments of 10 or more dwellings to provide a mix of dwellings sizes that reflects the proportions set out in Table 3.
- (b) The requirement for all dwellings to be accessible and adaptable in accordance with building regulation M4(2).
- (c) The requirement for around 10% of new market homes and a maximum of 5 units of the affordable sector to meet the wheelchair users standard M4(3), having regard to the Council's response to PQ37.

Q8.4. (a) Will the allocations in the Plan, and the last paragraph of policy SP18 along with policy DM18, be effective in encouraging the development of small and medium sized sites including for those who wish to build their own home? (b) Will the Plan, along with the Council's brownfield register, be effective in accommodating at least 10% of the housing requirement on sites no larger than one hectare⁹¹?

8.4 Internal space standards (policy DM30)

Planning policies may make use of the nationally described space standard, where the need for an internal space standard can be justified taking account of need, viability and timing⁹².

Q8.5. Is the requirement for all new market and affordable dwellings, including from permitted development, change of use and conversion, to comply with the nationally described space standard justified having regard to evidence of need, viability and timing?

8.5 Design quality (policy SP7)

Q8.6. Is policy SP7 consistent with national policy aimed at achieving well-designed places⁹³?

⁹⁰ NPPF 62 and 130f footnote 49, and PPG ID: 56-007-20150327.

⁹¹ NPPF 69a.

⁹² NPPF 130f footnote 49, and PPG ID: 56-018 to 020-20150327.

⁹³ NPPF chapter 12.

8.6 Sustainable homes (policies SP5 and DM4)

The Planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. However, such policies must not be inconsistent with relevant national policies for England.

National planning policy expects development to be planned for in ways that help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards⁹⁴.

Current national planning guidance (updated in 2019) states that development plan policies can set energy performance standards for new housing that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes (approximately 20% above former building regulations)⁹⁵.

However, current building regulations now require standards that are higher than Level 4 of the former Code for Sustainable Homes.

Policy DM4 requires all residential development to achieve net zero operational carbon emissions (regulated and unregulated energy) by implementing the energy hierarchy, and to meet the following minimum standards of construction:

- Achieve the carbon Target Emission Rate set by the Future Homes Standard once this is confirmed by central government; in the meantime achieve 63% reduction in carbon emissions by on-site measures as compared to the baseline emission rate set by Building Regulations Part L 2021 (SAP 10.2).
- Equal to or less than 15kWh/m²/year space heat demand target, evidenced by the Building Regulations Part L SAP Fabric Energy Efficiency metric.

Policy DM4 goes on to state that if residential development cannot demonstrate that it is net zero carbon in relation to operational energy (regulated and unregulated) it will be required to address any residual carbon emissions by a cash in lieu contribution.

Policy SP19 requires all affordable homes to be built to net zero carbon standards.

The Council's response to PQ40 explains why it considers all parts of policy DM4 to be consistent with national policy and specifically comply with the Planning and Energy Act 2008. It claims that planning policy guidance from 2019 does not represent national planning policy, and has been overtaken by the Future Homes Standard consultation response (January 2021) and Written Ministerial Statement (December 2021).

The Council's response to PQ40 goes on to say that policy DM4 is consistent with Building Regulations Part L 2021 and the Future Homes Standard in that:

⁹⁴ NPPF 154b.

⁹⁵ PPG ID: 6-012-20190315.

- The main targets of DM4 are expressed using Part L metrics calculated with the Standard Assessment Procedure (SAP): Target Emission Rate (TER) and Fabric Energy Efficiency (FEE). This accords with the powers granted by the Planning and Energy Act to use standards that are nationally endorsed.
- The energy calculations required by DM4 can be performed with SAP, or for more accuracy the applicant can use a calculation named 'TM54' which is also newly nationally endorsed in Part L 2021 for non-residential buildings.
- The minimum on-site carbon-saving requirement of Policy DM4 reflects the Target Emission Rate of the Future Homes Standard (as per indicative specification in the Future Homes Consultation Response) and therefore stay consistent with national policy.
- The 15kWh/m²/year space heat demand target (using SAP TFE metric) and requirement for total net zero carbon status on site are set at the level analysed to be necessary for new builds to play their role in the UK's carbon targets. The Local Plan Review Climate Change report refers to evidence demonstrating that this is feasible from other emerging local plans' evidence base.
- The renewable energy requirement fulfils the CCC advice that all new build homes be net zero carbon, and drives forward the renewable energy necessary for the UK's carbon goals while, by seeking for its delivery at development sites, avoids the need for consumption of more land solely for renewables and thus supports the NPPF [paragraph 124] efficient use of land.
- As some development (e.g. high-rise flats) may find it more challenging to achieve DM4's on-site renewable energy standard, DM4 also allows for carbon offsetting at a price that matches the nationally determined financial value per tonne of carbon (see Local Plan Review paragraph 10.30), which in turn Government calculates as the cost of abatement of all carbon savings for the UK's carbon goals. The carbon offset calculation also allows the applicant to take into account the Government's national predictions of future grid carbon reductions that will occur over the lifetime of the development.
- The above points in turn accord with the Planning and Energy Act stipulation that the local requirements for energy efficiency and renewable energy should be 'reasonable'.

Q8.7. Are the requirements in policy DM4 relating to energy efficiency, space heat demand, net zero carbon operational energy, and carbon offsetting for all residential development consistent with national policy or otherwise justified?

8.7 Water quality, water resources and waste water (policies DM6 and DM7)

The Council's response to PQ48 indicates that some amendments to policy DM6 and DM7 could usefully be made, and that further discussions are taking place with the Environment Agency and Thames Water. The Council's response to SPQ48 advises that it expects to agree a statement of common ground with Thames Water by mid December 2023, and with the Environment Agency by mid March 2024.

In responding to the following question, regard should be had to the relevant provisions in the Levelling Up and Regeneration Act 2023, including Part 7 and Schedule 15 relating to assumptions to be made about nutrient pollution levels in

waste water from potential development to be dealt with by certain sewage disposal works.

Q8.8. Are the requirements for residential development relating to water quality, water resources and waste water in policies DM6 and DM7 justified and consistent with national policy? In particular:

- (a) The requirement in policy DM6c for all development within the hydrological catchments of the River Lambourn SSSI/SAC or River Test to demonstrate nutrient neutrality⁹⁶.
- (b) The requirement in policy DM7 for all new dwellings to meet the optional Building Regulations requirement of 110 litres/person/day⁹⁷.

8.8 Green infrastructure and public open space (policies SP10 and DM40)

Q8.9. Are the requirements for residential development relating to the protection, enhancement and provision of green infrastructure and public open space in policies SP10 and DM40 justified and consistent with national policy? In particular, the requirement for development of 10 or more homes to, where possible, provide public open space on-site to a standard of 3-4.3 hectares per thousand population.

8.9 Biodiversity and geodiversity (policy SP11)

Q8.10. Are the requirements for residential development relating to biodiversity and geodiversity in policy SP11 justified and consistent with national policy?

8.10 Trees, woodlands and hedgerows (policy DM15)

Q8.11. Are the requirements for residential development relating to trees, woodlands and hedgerows in policy DM15 justified and consistent with national policy?

8.11 Residential amenity and gardens (policy DM31)

Q8.12. Are the requirements for residential development relating to the provision of private amenity space in policy DM31 justified and consistent with national policy?

8.12 Landscape character assessments (policy SP8)

Q8.13. Is the requirement in policy SP8 for all residential development to be accompanied by an appropriate landscape assessment justified and consistent with national policy?

8.13 Statements of heritage significance (policy SP9)

⁹⁶ [Nutrient neutrality and habitats regulations assessment update \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90212/nutrient_neutrality_and_habitats_regulations_assessment_update.pdf)

⁹⁷ PPG ID: 56-014 to 017-20150327

Q8.14. Are the requirements in policy SP9 for residential development affecting a heritage asset, including the provision of a “statement of heritage significance”, justified and consistent with national policy?

8.14 Health impact assessments (policy DM3)

Q8.15. Are the requirements in policy DM3 for health impact assessments justified and consistent with national policy?

8.15 Car parking and cycle storage (policy DM44 and Appendix 5)

Policy DM44 requires the layout and design of parking spaces to follow the Council’s Highway Design Guidance for Residential Development and to provide specified minimum levels of parking in zones 1, 2 and 3 defined on maps in Appendix 5 of the Plan. Electric vehicle charging points are required in line with Building Regulations as a minimum, with published Council guidance setting out opportunities to go beyond the minimum standards to be taken into account.

Policy DM44 also requires the provision of cycle and motorcycle parking in accordance with published Council guidance.

The Council’s response to PQ18 advises that the guidance documents set out what is expected and it is important that applicants follow it to ensure consistency in the submission and assessment of planning applications.

National policy states that local parking standards for residential should take into account:

- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles⁹⁸.

Q8.16. Are the requirements for residential development relating to car, cycle and motorcycle parking and provision of electric vehicle charging points in policy DM44 justified and consistent with national policy?

8.16 Transport impacts and infrastructure (policies SP23, DM42 and DM45)

Q8.17. Are the requirements for residential development relating to the assessment and mitigation of impacts on the transport network, providing and improving transport infrastructure and facilitating sustainable travel in policies SP23, DM42 and DM45 justified and consistent with national policy?

8.17 Digital infrastructure (policy DM41)

⁹⁸ NPPF 107.

Q8.18. Are the requirements for residential development relating to digital infrastructure in policy DM41 justified and consistent with national policy?

8.18 Infrastructure requirements and delivery (policy SP24)

Q8.19. Are the requirements in policy SP24 for residential development to make contributions to the delivery of all relevant infrastructure projects included in the Council's Infrastructure Delivery Plan justified and consistent with national policy?

M9. Other housing development management policies

9.1 First homes exception sites (policy DM16)

National policy expects local planning authorities to support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), on land which is not already allocated for housing subject to certain criteria being met⁹⁹. Further information about First Homes exception sites is set out in national guidance¹⁰⁰.

Q9.1. Is policy DM16 relating to First Homes exception sites consistent with national policy and guidance?

9.2 Rural exception sites (policy DM17)

National policy expects local planning authorities to support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this¹⁰¹.

Q9.2. Is policy DM17 relating to rural exception sites consistent with national policy?

9.3 Specialised housing (policy DM19)

National guidance describes various types of specialist housing for the elderly including age restricted general market housing; retirement living or sheltered housing; extra care housing or housing-with-care; and residential care homes and nursing homes. Plans should provide for specialist housing for older people where a need exists, although it is up to the plan-making body to decide whether to allocate specific sites for such developments.¹⁰²

Paragraph 11.18 in the Plan refers to an identified need for around 1,710 units of specialist housing for older people between 2021 and 2039 (95 per year).

Policy DM19 supports the provision of new, and the extension or alteration to existing, specialist housing subject to certain criteria being met.

⁹⁹ NPPF 72.

¹⁰⁰ PPG ID: 70-024 to 029-20210524.

¹⁰¹ NPPF 78.

¹⁰² PPG ID: 63-010 and 013-20190626.

Q9.3. Is policy DM19 relating to the provision of specialist housing justified and consistent with national policy, and will it be effective in ensuring that the identified housing needs of different groups in the community can be met?

9.4 Mobile home parks (policy DM21)

Paragraph 11.36 in the Plan states that there are a number of mobile homes parks across the District which perform an important role in terms of providing low cost home ownership accommodation.

Q9.4. Is policy DM21, which states that proposals that would result in the loss of a mobile home park either in part or full will not be permitted unless it would provide 100% affordable housing which will meet locally identified needs, justified?

9.5 Residential use above non-residential units (policy DM22)

Q9.5. Is policy DM22, which supports the conversion of existing space and the provision of additional space above non-residential uses subject to various criteria being met, justified?

9.6 Residential development in the countryside (policies DM23 to DM27)

Policies DM23 to DM27 each set out criteria to consider whether specific types of residential development will be supported in the countryside: housing for rural workers; conversion of existing buildings to dwellings; replacement of existing dwellings; extensions of residential curtilages; and sub division of existing dwellings.

Q9.6. Are policies DM23 to DM27 justified and consistent with national policy?

9.7 Residential extensions and annexes (policies DM28 and DM29)

Q9.7. Are policies DM28 and DM29 relating to residential extensions and annexes justified and consistent with national policy?

M10. Gypsy, traveller and travelling showpeople accommodation

National policy expects strategic policies, as a minimum, to provide for objectively assessed needs to be met including the housing needs for different groups in the community¹⁰³. Planning policy for traveller sites (PPTS) expects local planning authorities to use a robust evidence base to establish accommodation needs of travellers to inform the preparation of local plans. Local plans should identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets, and identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15.

The Council commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) which was carried out in 2019 and updated in 2021¹⁰⁴.

10.1 Need for additional gypsy and traveller accommodation (Table 7)

Table 7 in the Plan identifies a net shortfall of 30 pitches for gypsy and traveller accommodation between 2021 and 2038.

Paragraph 11.29 identifies a need for 4 transit pitches to accommodate 8 caravans. The Council's response to PQ34 seems to indicate that there may not now be a need for transit pitches for 8 caravans as an alternative approach would be to consider tolerated stopping places.

Q10.1. Does the Plan identify the need for additional gypsy and traveller accommodation based on robust, proportionate and up to date evidence?

Q10.2. How would Table 7 in the Plan need to be modified if the plan period were to be modified to 2022 to 2041, and to take account of any updated evidence relating to need?

10.2 Sites for additional gypsy and traveller accommodation (policies DM20 and RSA24)

Policy DM20 allows the development of permanent gypsy and traveller sites in various locations, provided that certain relevant criteria are met.

Policy RSA24 allocates a site at New Stocks Farm, Paices Hill, Aldermaston for the replacement of 8 transit pitches with 8 permanent pitches. The Council's responses to PQ22 and PQ34 advises that this site now has planning permission granted on 30 September 2022. The Council's response to PQ22 advises that the site is within the AWE Aldermaston DEPZ and as it is already used for gypsy and traveller accommodation (transit site), the proposed permanent use was not considered to have an impact on the emergency plan.

¹⁰³ NPPF 11b and 62.

¹⁰⁴ HOU3a and HOU3b.

The Council's response to PQ34 also advises that a Council operated site at Four Houses Corner will have one additional pitch following refurbishment, and that an additional pitch will be provided on a site that recently received planning permission. Those two pitches are additional to the supply identified in the GTAA.

The Council proposes modifications to Table 7 to clarify and update the land supply for additional pitches as at September 2023. This shows that although the Council has a 5 year supply when measured against the PPTS need, there is an overall need for 3 additional pitches for the period 2021 to 2026 when considered against the cultural need. Over the longer term to 2038 there is a cultural need for 17 pitches, of which 11 pitches are for travellers meeting the PPTS definition.

Paragraph 11.35 in the Plan advises that a separate development plan document will be prepared to address the longer term need for gypsy and traveller pitches and for transit sites / short term stopping places with the intention that it will be adopted in 2027. The Council's response to PQ35 advises that a call for sites and other investigations carried out during the preparation of the Plan failed to identify any suitable and available opportunities for providing additional gypsy and traveller accommodation. Therefore, rather than delay the Plan, the Council decided to include within it all identified opportunities and prepare a separate development plan document to address longer term needs. The Council's response to PQ35 also advises that, in September 2023, there were six planning applications for a total of 15 permanent pitches pending consideration by the Council.

Q10.3. (a) Does the Plan identify a supply of specific deliverable sites for gypsy and traveller accommodation sufficient to provide 5 years' worth of sites from 2022, and identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15?
(b) If not, will the preparation of a separate development plan document by 2027 to identify additional opportunities be effective in ensuring that longer term needs for gypsy and traveller accommodation can be met?

10.3 Need for travelling showpeople accommodation (Table 8)

Table 8 in the Plan identifies a need for 24 plots for travelling showpeople between 2021 and 2038.

Q10.4. Does the Plan identify the need for additional travelling showpeople accommodation based on robust, proportionate and up to date evidence?

10.4 Sites for additional travelling showpeople accommodation (policy RSA25)

Paragraph 11.34 advises that there is currently one yard for travelling showpeople in the district and that any need that does arise can be accommodated on that yard. Policy RSA25 allocates a site at Long Copse Farm, Enborne for 24 plots. The Council's response to PQ36 confirms that the allocation is expected to be sufficient to meet the identified need for additional plots.

Q10.5. Will the Plan be effective in ensuring that the identified need for additional plots for travelling showpeople can be met, including if the plan period were to be modified to 2022 to 2041?

M11. Economic development

11.1 Strategic approach to employment land (policy SP20)

Policy SP20 supports industrial, storage and distribution, and office developments on allocated sites; designated employment areas; other existing employment land; other sites within settlement boundaries; and in the countryside, provided that certain criteria are met. The policy also seeks to prevent the loss of existing employment uses outside designated employment areas other than in certain defined circumstances.

The Council's response to PQ14 proposes modifications to policy SP20 to clarify that sites allocated in the Plan for employment development will contribute to meeting identified needs; that neighbourhood plans can also allocate employment sites; and that designated employment areas are listed in Appendix 4.

Q11.1. (a) Is the approach in policy SP20 to considering proposals that would result in the loss of existing employment uses outside designated employment areas justified and consistent with national policy? (b) Are the modifications to policy SP20 proposed by the Council necessary to make the Plan sound?

I deal with other potential soundness issues associated with policy SP20 in subsequent issues below.

11.2 Designated employment areas (policies SP21 and DM32 and Appendix 4)

Appendix 4 in the Plan lists 23 designated employment areas all of which are designated on the policies map. Policy SP21 refers to three of those areas being newly designated due to them being well established and important to the local economy. Policy DM32 states that all designated employment areas are safeguarded for office, industry, and storage and distribution uses and sets out various criteria for considering development proposals.

Q11.2. Are the designated employment areas, including the detailed boundaries, as shown on the policies map justified?

Q11.3. Is the approach in policy DM32 to considering proposals for different types of development in designated employment areas justified and consistent with national policy?

11.3 Sites allocated for industrial and warehouse development (policies ESA1 to ESA6)

Six sites are allocated for industrial and/or storage and distribution development. Each is designated on the policies map, and subject to a specific policy in chapter 8 of the Plan.

Q11.4. Are the allocations of sites ESA1 to ESA6 for industrial and/or storage and distribution uses, and the detailed boundaries to each, justified?

- Q11.5. Will policies ESA1 to ESA6 be effective in ensuring that each allocation is developed in a satisfactory manner? In particular with regard to:
- (a) The type and scale of development proposed on each site.
 - (b) Provision of safe and suitable access, including by sustainable modes, and mitigation of impacts on the transport network.
 - (c) Mitigation of impacts on the character and appearance of the area, including rural landscape.
 - (d) Mitigation of impacts on biodiversity.
 - (e) Requirements relating to heritage assets and archaeological assessments.
 - (f) Mitigation of air, water, noise and light pollution.
 - (g) Waste water treatment infrastructure.

Paragraph 7.9 in the Plan indicates that the sites allocated in the Plan for employment development (listed in policy SP21) will go some way to meeting the identified need for around 91,100 sqm of additional industrial and warehousing floorspace although there remains a shortfall due to a lack of suitable available sites. The Council's response to PQ41a advises that the allocations in the Plan have capacity for around 58,400 sqm of industrial and warehousing floorspace¹⁰⁵. The response to PQ41b advises that, whilst some of the existing employment areas have potential for redevelopment and intensification, no quantifiable figure has been assumed. The Council's response to PQ41c therefore indicates that there is a shortfall of around 32,700 sqm against the identified need for additional industrial and storage and distribution floorspace.

Q11.6. Are all sites that are available and suitable for industrial and/or storage and distribution development allocated in the Plan?

11.4 Office development (policies SP20, SP22 and DM32)

No sites are allocated specifically for office development to meet the identified need for a net increase in floorspace of around 51,000 sqm to 2039. Paragraph 7.7 refers to a lack of suitable sites for office developments and little to no viability in the market.

Q11.7. Are there available sites that are suitable for offices that should be allocated for that type of development in the Plan?

Given the lack of suitable and available sites for office development identified by the Council, the Plan aims to safeguard existing office space (policies SP20 and DM32); promote offices on redevelopment sites within and on the edge of town centres (policy SP22); and support office developments on relevant allocated sites, in designated employment areas, suitably located employment sites and suitable sites within settlement boundaries (policy SP20). Policy DM32 states that new office proposals within a designated employment area will not be required to satisfy the sequential test.

¹⁰⁵ Excluding allocation ESA2 which is included in the committed supply.

National policy expects office developments to be located in town centres, then in edge of centre locations, and only if suitable sites are not available on out of centre sites. Local planning authorities should apply a sequential test to planning applications for main town centre uses that are neither in an existing centre nor in accordance with an up to date local plan¹⁰⁶.

Q11.8. Is the approach to considering proposals for office development set out in policies SP20, SP22 and DM32 consistent with national policy or otherwise justified?

11.5 Town centres and retail parks (policies SP22 and DM34)

Policy SP22 sets out a hierarchy of town centres based on the scale, character and role of each:

- Major town centre: Newbury
- Town centres: Thatcham and Hungerford
- District centres: Lambourn, Pangbourne and Theale

The town centre boundaries and primary shopping areas within each are defined on the policies map.

Policy SP22 sets out various criteria for considering development proposals aimed at maintaining and enhancing the vitality and viability of each of the centres.

Q11.9. Is the hierarchy of town centres identified in policy SP22 justified?

Q11.10. Are the boundaries to each town centre and primary shopping area defined on the policies map justified?

Q11.11. Is the approach in policy SP22 to considering development proposals within the town centres and primary shopping areas justified and consistent with national policy?

Policy DM34 seeks to safeguard three existing retail parks for retail and leisure uses. Development within those areas must not have a significant detrimental impact on the viability and vitality of Newbury town centre or other nearby centres.

Q11.12. Is the approach in policy DM34 to considering development proposals in the three defined retail parks justified and consistent with national policy?

11.6 Economic development in the countryside (policies DM35, DM36 and DM38)

Policies DM35, DM36 and DM38 support proposals that contribute to sustaining a prosperous rural economy, farm diversification, and development on existing educational and institutional sites in the countryside, provided that various specified criteria are met.

¹⁰⁶ NPPF 87.

NPPF 84 and 85 expects planning policies to support a prosperous rural economy.

Q11.13. Are policies DM35, DM36 and DM38 justified and consistent with national policy and will they be effective in securing sustainable economic development in the countryside?

11.7 Equestrian development and horseracing industry (policy DM37)

Policy DM37 includes three parts relating to domestic and commercial equestrian development; the horseracing industry; and Newbury Racecourse.

Q11.14. Is policy DM37 justified and consistent with national policy and will it be effective in ensuring that development related to equestrian facilities, the horseracing industry, and Newbury Racecourse is sustainable?

11.8 Theale rail-road transfer site (policy DM43)

Policy DM43 aims to ensure that a site at Theale defined on the policies map is reserved for industries which require a rail-road transfer facility and access to the highway network, and that the site is not redeveloped for other uses. Paragraph 12.100 states that the site is primarily an aggregates terminal which is safeguarded in the West Berkshire Minerals and Waste Local Plan 2022-2037. However, paragraph 12.101 seems to suggest that the site is also suitable for uses that require a rail-road transfer facility for consumer goods.

Q11.15. (a) Is policy DM43 consistent with policies in the West Berkshire Minerals and Waste Local Plan 2022-2037? (b) Does policy DM43 provide a clear and unambiguous approach to the types of development that will be permitted?

M12. Other development management policies

12.1 Non-residential development and carbon emissions

Q12.1. Are the requirements in policies SP5 and DM4, aimed at ensuring that all non-residential developments, hotels and residential institutions contribute to West Berkshire becoming and staying carbon neutral by 2030, justified and consistent with national policy? In particular:

- (a) The requirement to achieve net zero operational carbon emissions (regulated and unregulated energy) in policies SP5 and DM4.
- (b) The approach to energy efficiency and minimum construction standards in policy DM4 part 2.
- (c) The requirement for the provision of on-site renewable, zero carbon and low carbon energy technologies in policy DM4 part 3.
- (d) The requirement for carbon offsetting in policy DM4 part 4.

12.2 Non-residential development and transport (policies SP23, DM42 and DM44)

Q12.2. Are the transport-related requirements in policies SP23, DM42 and DM44 for non-residential development justified and consistent with national policy, in particular the approach to the provision of parking facilities for bicycles, motorcycles, electric vehicles and other vehicles?

12.3 Pollution and air quality (policies DM5 and DM8)

The Council's response to PQ48 indicates that some amendments to policy DM5 could usefully be made, and that further discussions are taking place with the Environment Agency. The Council's response to SPQ48 advises that it expects to agree a statement of common ground with the Environment Agency by mid March 2024

Q12.3. Are the requirements in policies DM5 and DM8 aimed at ensuring that development does not lead to adverse effects on the environment or nuisance by pollution, and maintains or improves air quality, justified and consistent with national policy?

12.4 Flood risk (policy SP6)

The Council's response to PQ48 indicates that some amendments to policy SP6 could usefully be made, and that further discussions are taking place with the Environment Agency and Thames Water. The Council's response to SPQ48 advises that it expects to agree a statement of common ground with Thames Water by mid December 2023, and with the Environment Agency by mid March 2024.

Q12.4. Is policy SP6 consistent with national policy and associated guidance relating to development and flood risk¹⁰⁷?

¹⁰⁷ NPPF 159 to 169 and PPG ID: 7.

12.5 Water quality and resources (policies DM6 and DM7)

The Council's response to PQ48 indicates that some amendments to policy DM6 and DM7 could usefully be made, and that further discussions are taking place with the Environment Agency and Thames Water. The Council's response to SPQ48 advises that it expects to agree a statement of common ground with Thames Water by mid December 2023, and with the Environment Agency by mid March 2024.

Q12.5. Are policies DM6 and DM7 consistent with national policy and guidance¹⁰⁸?

12.6 Historic environment (policies SP9 and DM9 to DM14)

The Council's response to PQ49 advises that discussions have recently taken place with Historic England and that a statement of common ground is being prepared. The Council has proposed a main modification to policy SP9 to delete the references to enabling development and to add reference to Conservation Area Appraisals and Management Plans. The Council's response to SPQ49 advises that it expects to agree a statement of common ground with Historic England by mid December 2023.

Q12.6. Are policies SP9 and DM9 to DM14 consistent with national policy and guidance relating to the historic environment¹⁰⁹? Is it necessary to modify policy SP9 to delete reference to enabling development and add reference to Conservation Area Appraisals and Management Plans?

12.7 Community facilities (policy DM39)

National policy expects local plans to plan positively for the provision and use of community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship, and to guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day-to-day needs¹¹⁰.

Q12.7. Is policy DM39 consistent with national policy? In particular,
(a) the requirement for proposals for new and/or expanded community facilities to demonstrate a local need.
(b) The requirements relating to the loss of an existing community facility.

M13 Other soundness issues

Q13.1. Are main modifications required to any other parts of the Plan to ensure that it is sound?

End of Annex 2

¹⁰⁸ PPG ID: 34.

¹⁰⁹ NPPF section 16 and PPG ID: 18a.

¹¹⁰ NPPF 93.