



**West Berkshire Local Plan Review 2022-2039**  
**Proposed Submission Representation Form**

**Ref:**

*(For official use only)*

<b>Please complete online or return this form to:</b>	<b>Online:</b> <a href="http://consult.westberks.gov.uk/kse">http://consult.westberks.gov.uk/kse</a>
	<b>By email:</b> <a href="mailto:planningpolicy@westberks.gov.uk">planningpolicy@westberks.gov.uk</a>
	<b>By post:</b> Planning Policy, Development and Regulation, Council Offices, Market Street, Newbury, RG14 5LD
<b>Return by:</b>	<b>4:30pm on Friday 3 March 2023</b>

This form has two parts:

- Part A - Your details: need only be completed once
- Part B - Your representation(s): please fill in a separate sheet for each representation you wish to make

**PART A: Your Details**

*Please note the following:*

- *We cannot register your representation without your details.*
- *Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.*
- *All information will be sent for examination by an independent inspector*
- *All personal data will be handled in line with the Council's Privacy Policy on the Development Plan. You can view the Council's privacy notices at <http://info.westberks.gov.uk/privacynotices>*

	<b>Your details</b>	<b>Agent's details (if applicable)</b>
Title:	Mr	Ms
First Name:*	James	Patricia
Last Name:*	Hole	Terceiro
Job title (where relevant):		Senior Planner
Organisation (where relevant):		Barton Willmore, now Stantec
Address* Please include postcode:	Yattendon Estate	The Blade, Abbey Square, Reading, RG1 3BE
Email address:*		██
Telephone number:		0118 943 0000

\*Mandatory field

**Part B – Your Representation*****Please use a separate sheet for each representation***

The accompanying guidance note available at: <https://www.westberks.gov.uk/lpr-proposed-submission-consultation> will assist you in making representations.

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s) as there will **not normally** be a subsequent opportunity to make further representations, **further submissions will ONLY be at the request of the Inspector, based on the matters and issues they identify for examination.***

Your name or organisation (and client if you are an agent):	Agent: Ms Patricia Terceiro, Barton Willmore, now Stantec Client: Mr James Hole, Yattendon Estate
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**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	The Spatial Strategy
Policy:	Policy SP1 (Spatial Strategy)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

*Please see the guidance notes for an explanation of what 'legally compliant' means.*

**Do you consider the Local Plan Review is legally compliant?**

Yes

No

*Please give reasons for your answer:*

N/A
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**2. Soundness**

*Please see the guidance notes for an explanation of what 'soundness' means.*

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	<b>x</b>	
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence	<b>x</b>	
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

Please give reasons for your answer:

We support Policy S1 criteria b), which confirms that the Council's strategy for the plan period optimises the use of previously developed land. This is consistent with para 119 of the National Planning Policy Framework (NPPF), which promotes an effective use of land.

Policy SP1 encourages proposals to strengthen and diversify the rural economy, particularly where they are located in or adjacent to Rural Service Centres and Service Villages identified in the settlement hierarchy. We consider that this is too prescriptive and goes against the aspirations of Section 6 (Building a Strong Economy) of the NPPF, which seeks to support a prosperous rural economy.

At paragraph 84 the NPPF states:

*Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings [...].*

At paragraph 85, the NPPF states:

*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport'.*

The above NPPF paragraphs correctly recognise that businesses in rural areas should be supported including those 'beyond existing settlements'.

As currently drafted, Policy SP1 expresses a preference for enterprises located in or adjacent to Rural Service Centres and Service Villages. In introducing this preference, there is a risk that those rural businesses which are not within or adjacent to settlements would not be supported. We note that no such preference is expressed within the NPPF and request that the Council accords with this approach.

### 3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

Please give reasons for your answer:

N/A

### 4. Proposed Changes

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

For the reasons discussed above, we request that Policy SP1 of the Draft Local Plan is amended to ensure consistency with National Policy as detailed below (additions shown underlined deletions shown with a ~~striketrough~~).

[...]

Proposals to strengthen and diversify the rural economy will be encouraged, ~~particularly where they are located in or adjacent to Rural Service Centres and Service Villages identified in the settlement hierarchy.~~ Existing small and medium sized enterprises within the countryside will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements and their communities.

[...]

Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	The Spatial Strategy / paras 4.29 and 4.30
Policy:	SP2 (North Wessex Downs AONB)
Appendix:	
Policies Map:	
Other:	

### 1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

### 2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	<b>x</b>	
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

Please give reasons for your answer:

## Policy SP2

On the scope of the Regulation 18 Consultation we commented that Policy SP2 represents an unnecessary duplication of paragraphs 176-177 of the National Planning Policy Framework (NPPF). We note that the wording of this Policy remains broadly the same as in the previous version of the Draft Local Plan. This is inconsistent with the Planning Practice Guidance, which states that all plans need to be as focused, concise, and accessible as possible [Paragraph: 002 Reference ID: 61-002-20190315].

As such, we consider that the policy should be revised to remove duplication and refer to the relevant sections of the national policy instead.

## Paragraphs 4.29 and 4.30

We note that the supporting text to Policy SP2 (paras 4.29 and 4.30) sets out what constitutes 'Major Development' in the context of the AONB.

Footnote 60 of the NPPF states that:

**"for the purposes of paragraphs 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined".**

National Policy is therefore clear that whether a development is 'Major' is a matter for the decision maker and, as such, is subjective and dependent on site-specific circumstances. In our view, the Draft Local Plan seeks to incorporate a prescriptive approach which contradicts the deliberate flexibility afforded by Footnote 60 (above). We fundamentally consider that this approach is inappropriate and unsound on the basis that it is inconsistent with National Policy.

In addition to our 'in principle' objection, we also raise particular objection to the specific wording of items i), ii) and iv) under para 4.29 within the Draft Local Plan Review and make additional comments below.

Points i) and ii) under para 4.29 advise that the starting point of assessment will be the definitions of 'Major' and 'Minor' development set under the Town and County Planning (Development Management Procedure) (England) Order 2015 (DMPO). Reference to the DMPO is erroneous and conflates two entirely separate definitions of 'Major'.

Footnote 60 does not make any reference to the definitions of major and minor development set out in the DMPO, but rather states that, for the purposes of this definition in the context of the AONB, the development's nature, scale and setting are to be taken into account. If the DMPO was relevant to the decision maker's judgement, national policy would state this. The fact it does not is a clear indication that the definitions are unrelated and should not be conflated.

Point iv) under para 4.29 states that *the 'determination as to whether a development is 'Major' will consider whether it has the potential to have a significant adverse impact alone or in combination with other development'*. We consider that this requirement is unsound and is inconsistent with National Policy. There is no reference in national policy to assessments of development within the AONB being undertaken considering an 'in combination' impact. Paras 176-177 and Footnote 60 are clear in reference to 'the development' as a singular. There is no reference to consideration in combination with other development. As such, we consider that this point is not consistent with national policy.

Our position is supported by a relevant Legal Opinion (available here: [Guidelines-on-Significance-for-SDNP-Planning-Applications—NPPF-Complaint-July-2014.pdf](#) (southdowns.gov.uk)), where the Solicitor undertakes a review of caselaw, guidance and appeal decisions aiming to understand the reasoning for a development to be considered ‘Major’ in the context of the AONB.

The Legal Opinion concludes that ‘the overarching principle is that the determination of whether a proposal amounts to ‘major development’ for the purposes of paragraph 116 of the NPPF (now paras 176-177) is a matter of planning judgment to be decided by the decision maker in light of all the circumstances of the application and the context of the application site’ (para 24).

Furthermore, the Legal Opinion states that it would be wrong in law to apply the definition of ‘major development’, as well as any set or rigid criteria to defining major development (para 25). As a matter of planning judgement, the decision maker must consider the application in its local context (para 27).

Although we do not object to the points vi) to xii) under para 4.30, we query whether these are an unnecessary duplication of national policy.

### 3. Complies with the Duty to Co-operate

*Please see the guidance note for an explanation of what ‘Duty to Cooperate’ means.*

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

*Please give reasons for your answer:*

N/A

### 4. Proposed Changes

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

In light of the above discussions, we recommend that para 4.29 of the Draft Local Plan is fully deleted to ensure consistency with National Policy.

Furthermore, we consider that Policy SP2 should be revised to remove an unnecessary duplication of paragraphs 170-173 of the NPPF and refer to the relevant sections of the national policy instead.

Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	Environment and Surroundings
Policy:	SP9 (Historic Environment)
Appendix:	
Policies Map:	
Other:	

### 1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

### 2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>



*Please give reasons for your answer:*

Our comments to the Regulation 18 Consultation on the Local Plan Review 2020 – 2037: Emerging Draft (December 2020) raised that Policy SP9 did not accord with para 203 of the NPPF. Although we note that part of this Policy was revised, we remain of the view that this policy does not meet the test of soundness because it is not consistent with national policy.

Policy SP9 lists the heritage assets to which it should be applied. We note that points f) and g) relate to Local Heritage Assets and, on this basis, Policy SP9 is interpreted as affording the same level of protection to designated and non designated heritage assets. In particular, we note that Policy SP9 states that ‘development that has an impact upon a heritage asset, whether designated or non-designated, will be expected to maximise opportunities to preserve, enhance, or better reveal the asset’s significance and/or setting, and make a positive contribution to local character and distinctiveness through high standards of design in accordance with Policy SP7’.

This does not accord with paragraph 203 of the NPPF which, for applications which directly or indirectly affects non-designated heritage assets requires a ‘balanced judgement [...] having regard to the scale of any harm or loss and the significance of the heritage asset’. We note that there is no requirement within the NPPF for development that has an impact upon a non-designated heritage asset to maximise opportunities to preserve or enhance it.

As such, the Draft Local Plan sets a higher standard than the NPPF on development that affects non-designated heritage assets, which could inhibit the delivery of sustainable development.

### 3. Complies with the Duty to Co-operate

*Please see the guidance note for an explanation of what ‘Duty to Cooperate’ means.*

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

*Please give reasons for your answer:*

N/A

### 4. Proposed Changes

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Based on our comments above, we request that Policy SP9 is revised as detailed below (additions shown underlined deletions shown with a ~~strike through~~). For ease of review we have only included the paragraphs that, in our view, should be subject to change so that Policy SP9 is in line with the NPPF.

[...] These heritage assets include:

a. Listed Buildings;

- b. Scheduled Monuments and archaeological sites of national importance;
- c. Registered Parks and Gardens;
- d. Registered Battlefields;
- e. Conservation Areas;
- f. ~~Buildings, monuments, sites, places, areas and landscapes that have been added to the West Berkshire Local List of Heritage Assets; and~~
- g. ~~Other places, spaces, structures and features which may not be formally designated but are recognised as significant elements of West Berkshire's heritage and are positively identified on the West Berkshire Historic Environment Record, or through the development management or other planning processes.~~

Development that has an impact upon a designated heritage asset, ~~whether designated or non-designated~~, will be expected to maximise opportunities to preserve, enhance, or better reveal the asset's significance and/or setting, and make a positive contribution to local character and distinctiveness through high standards of design in accordance with Policy SP7.

[...]

Weight will be given to the conservation of the District's designated heritage assets in a manner according to their importance. Any harm to the significance of a designated ~~or non-designated~~ heritage asset must be justified. Proposals will be weighed against the public benefits of the proposal: whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.

[...]

**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Environment and Surroundings
Policy:	SP10 (Green Infrastructure)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

*Please see the guidance notes for an explanation of what 'legally compliant' means.*

**Do you consider the Local Plan Review is legally compliant?**

Yes

No

*Please give reasons for your answer:*

N/A
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**2. Soundness**

*Please see the guidance notes for an explanation of what 'soundness' means.*

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

*Please tick all that apply:*

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	<b>x</b>	
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence	<b>x</b>	
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF	<b>x</b>	

*Please give reasons for your answer:*

Policy SP10 seeks to maximise the potential for strengthening both local and strategic green infrastructure (GI) assets across the District. We are fully supportive of this Policy, and we consider that it is line with Section 15 of the NPPF, which seeks to Conserve and Enhance the Natural Environment.

### **3. Complies with the Duty to Co-operate**

*Please see the guidance note for an explanation of what 'Duty to Cooperate' means.*

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

*Please give reasons for your answer:*

N/A

### **4. Proposed Changes**

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

N/A

**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Fostering Economic Growth & Supporting Local Communities
Policy:	Policy SP23 (Transport)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

Please see the guidance notes for an explanation of what 'legally compliant' means.

**Do you consider the Local Plan Review is legally compliant?**

Yes

No

Please give reasons for your answer:

N/A
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**2. Soundness**

Please see the guidance notes for an explanation of what 'soundness' means.

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

Please give reasons for your answer:

Policy SP23 (Transport) states that development that generates a transport impact will be required to (amongst others): Minimise the impact of all forms of travel on the environment, in accordance with West Berkshire's declared Climate Emergency and Environment Strategy; and improve and promote opportunities for active travel.

At paragraph 105 the NPPF states:

*'[...] opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'*

As such, the NPPF recognises that both urban and rural areas face different challenges in terms of provision of transport solutions. Indeed, rural areas typically lack the offer in terms of public transport that is available in urban areas. Whilst we support the provision of a sustainable transport network, we consider that the requirements of this policy are not proportionate and fail to reflect the rural nature of much of West Berkshire District.

SP23 as currently drafted has the potential to directly contradict and undermine Policy SP1 and the support this policy affords to the rural economy.

### 3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

Please give reasons for your answer:

N/A

### 4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We therefore recommend that Policy SP23 is revised as detailed below to ensure soundness (additions shown underlined deletions shown with a ~~strikethrough~~).

Where appropriate, development that generates a transport impact will be required to:

[...]

**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Development Management Policies: Our Environment & Surroundings
Policy:	Policy DM4 (Building Sustainable Homes and Businesses)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

*Please see the guidance notes for an explanation of what 'legally compliant' means.*

**Do you consider the Local Plan Review is legally compliant?**

Yes

No

*Please give reasons for your answer:*

N/A
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**2. Soundness**

*Please see the guidance notes for an explanation of what 'soundness' means.*

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

*Please tick all that apply:*

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development	<b>x</b>	
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence	<b>x</b>	
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground		<b>x</b>
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

*Please give reasons for your answer:*

Policy DM4 'Building Sustainable Homes and Businesses' appears to relate to uses under Class C of the Town and Country Planning (Use Classes) Order 1987 (as amended). However, in the absence of a definition for 'businesses' under this Policy, it is not clear if the word 'businesses' refers only to those businesses under Class C (such as hotels) or if the Policy covers other commercial uses under Classes B, E and F.

As such, in the interests of clarity, we recommend that the Council separates this Policy into two different Policies, covering Class C uses and non-residential development respectively.

In addition to the above, whilst we support the Council's need to tackle climate change, we question the effectiveness of Policy DM4 as currently worded.

However, point 4 of Policy DM4 refers to carbon offsetting and states that a cash in lieu contribution can be provided. The supporting text for this element of the emerging policy is set out from paragraphs 10.28 to 10.32 of the Draft Local Plan. Although we do not object to the carbon-offsetting payment currently, within the policy and the supporting text it is unclear how any funds raised would be calculated and used. We suggest that the supporting text includes information setting out how the Council will calculate the price for offsetting carbon. We recommend that when setting a cost for carbon, the Council develops and publishes a price for offsetting carbon based on either: a nationally recognised carbon pricing mechanism; or the cost of offsetting carbon emissions across the LPA. The price set should not put an unreasonable burden on development and must enable schemes to remain viable.

Furthermore, clarity should be provided in terms of where the cash in-lieu payment will be used. In our view, it would be beneficial to allow flexibility such that offsetting contributions can be used by the same business / reinvested in business operations.

### **3. Complies with the Duty to Co-operate**

*Please see the guidance note for an explanation of what 'Duty to Cooperate' means.*

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes  No

*Please give reasons for your answer:*

N/A

### **4. Proposed Changes**

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

In light of the above discussions, we consider that the Council should review the above Policy and its supporting text to clarify the following:



- Include information regarding setting out how the Council will calculate the price for offsetting carbon;
- Provide further clarity in terms of where the cash in-lieu payment will be used.

Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	Development Management Policies: Our Environment & Surroundings
Policy:	DM11 (Non-designated Heritage Assets)
Appendix:	
Policies Map:	
Other:	

### 1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

### 2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

Please give reasons for your answer:

We note that this Policy states that proposals affecting non-designated heritage assets will be determined in accordance with Policy SP9. As set out in our comments to Policy SP9, we consider that this policy does not meet the test of soundness because it is not consistent with national policy, insofar as it affords the same level of protection to both designated and non-designated heritage assets.

The NPPF is clear in stating that the proposals affecting non-designated assets will be subject to a balanced judgement having regard to the scale of any harm or loss (paragraph 200):

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

We note that point c makes reference to a number of characteristics that developments should satisfy. However, we draw attention to para 200 of the NPPF, which does not state that regard should be paid to the setting of non-designated heritage assets when assessing proposals that may affect them.

On the basis of the above discussions, we consider that Policy DM11 is not consistent with the NPPF, as it is more stringent than para 200 of the NPPF.

### 3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

Please give reasons for your answer:

N/A

### 4. Proposed Changes

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

We therefore recommend that Policy DM11 is revised as detailed below (additions shown underlined deletions shown with a ~~strikethrough~~).

Proposals for development affecting buildings, monuments, sites, places, areas or landscapes identified as being non-designated heritage assets ~~will be determined in accordance with Policy SP9.~~ Proposals should satisfy all of the following criteria where appropriate:

- a. Demonstrate a clear understanding of the significance of the asset ~~and/or its setting~~, alongside an assessment of the potential impact of the proposal on that significance;
- b. Be undertaken in a sympathetic manner using appropriate high quality design; and
- c. Have ~~particular~~ regard to ~~all of~~ the following characteristics, depending on the type of asset affected:
  - i. Its historic character and appearance;
  - ii. Its scale, proportion, design, historic fabric, detailing and materials;
  - iii. Ensuring there is no unacceptable level of loss, damage or covering of original features;
  - iv. ~~The layout, boundary features and setting of the asset, including key views into, through or out of it;~~
  - v. ~~Ensuring development is appropriate and sympathetic to its setting in terms of height, massing, density, materials and night and day visibility;~~
  - vi. The conservation of both human-made and natural features of architectural, archaeological, artistic and historic interest within it and the requirement to record such features on the Historic Environment Record;
  - vii. ~~Its biodiversity interest;~~
  - viii. Any disturbance which could harm its archaeological potential;
  - ix. ~~The integrity of the landscape;~~
  - x. The cumulative impact of successive small scale changes; and
  - xi. ~~The enhancement of existing public access and interpretative opportunities.~~

**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Development Management Policies: Fostering Economic Growth & Supporting Local Communities
Policy:	Policy DM35 (Sustaining a Prosperous Supporting the Rural Economy)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

*Please see the guidance notes for an explanation of what 'legally compliant' means.*

**Do you consider the Local Plan Review is legally compliant?**

Yes

No

*Please give reasons for your answer:*

N/A
-----

**2. Soundness**

*Please see the guidance notes for an explanation of what 'soundness' means.*

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

*Please tick all that apply:*

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

Please give reasons for your answer:

We welcome Policy DM35, which encourages a prosperous rural economy. We support the Council's position to encourage appropriate proposals which make use of previously developed land.

However, we hold reservations in relation to point j., which we consider to be inconsistent with the requirements of the NPPF. Para 111 of the NPPF reads as follows:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

DM35 point j. states that proposed developments should not generate traffic of a type or amount inappropriate for the rural roads which could be detrimental to their character and use. The NPPF is clear in stating that development should **only** be prevented refused on highway grounds where there is an unacceptable impact on highway safety or the impact on the road network would be severe. Character and use are not referenced within the NPPF and, as such, we consider the DM35 (j) to be inconsistent with national policy.

### 3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

Please give reasons for your answer:

N/A

### 4. Proposed Changes

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

We therefore recommend that Policy DM35 is revised as detailed below (additions shown underlined deletions shown with a ~~strikethrough~~).

[...]

- j. It would not generate ~~traffic of a type or amount inappropriate for the rural roads, byways or restricted by ways affected by the proposal or require improvements to these roads, byways, or restricted byways which could be detrimental to their character and use by motorised and non-motorised traffic~~ an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would not be severe.

**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Development Management Policies: Fostering Economic Growth & Supporting Local Communities
Policy:	Policy DM36 (Farm Diversification)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

*Please see the guidance notes for an explanation of what 'legally compliant' means.*

**Do you consider the Local Plan Review is legally compliant?**

Yes

No

*Please give reasons for your answer:*

N/A
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**2. Soundness**

*Please see the guidance notes for an explanation of what 'soundness' means.*

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

*Please tick all that apply:*

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

Please give reasons for your answer:

We welcome Policy DM36, which recognises the importance of farm diversification businesses in supporting the rural economy.

However, we note that point h. requires development proposals not to harm the significance of a heritage asset in accordance with Policies SP9 and DM12. As set out in our comments to Policy SP9, we consider that this Policy is inconsistent with national policy, as it seeks to afford the same level of protection to designated and non-designated assets.

Turning into point j., we echo our comments to Policy DM35. We consider that this point is inconsistent with the NPPF, by requiring that proposals are assessed against their impact on the character of the road. National Policy is clear that development should **only** be prevented refused on highway grounds where there is an unacceptable impact on highway safety or the impact on the road network would be severe.

[...]

### 3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

Please give reasons for your answer:

N/A

### 4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We therefore recommend that Policy DM36 is revised as detailed below (additions shown underlined deletions shown with a ~~strike~~through).

[...]

- h. Any internal and external changes do not harm the significance of a designated heritage asset in accordance with Policies SP9 and DM12;
- j. It does not generate traffic that is detrimental to highway safety or amount inappropriate for the rural roads affected by the proposal or require improvements to these roads which could be detrimental to their rural character.



**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Development Management Policies: Fostering Economic Growth & Supporting Local Communities
Policy:	Policy DM42 (Transport Infrastructure)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

*Please see the guidance notes for an explanation of what 'legally compliant' means.*

**Do you consider the Local Plan Review is legally compliant?**

Yes

No

*Please give reasons for your answer:*

N/A

**2. Soundness**

*Please see the guidance notes for an explanation of what 'soundness' means.*

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

*Please tick all that apply:*

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

Please give reasons for your answer:

We support the Council's position in seeking to tackle the climate emergency through promoting a sustainable transport network. However, we note that this policy as worded seems to apply to all types of development and does not take into consideration the type and size of developments, as well as their location. Indeed, we consider that this policy fails to recognise the rural nature of West Berkshire's District and the limited availability of public transport modes in more remote areas.

The Policy requires travel activity to be minimised by the design of developments that support low levels of travel with a focus on local journeys that can be made sustainably. We query how this can reasonably be applied to modest developments in the countryside where the offer of public transport is limited or non-existent. Furthermore, we consider that the Policy's requirement for developments to be supported through a range of infrastructure associated with different transport modes may place unnecessary burden on smaller developments. For these reasons, we do not consider that this Policy is justified.

Finally, we note that there is a conflict between the requirements of this Policy and Policies DM35 and DM36. On one hand, the Council seeks to support businesses in rural areas, however Policy DM42 is stringent and does not appear to reflect or acknowledge the more limited accessibility in terms of public transport to rural areas. We would therefore encourage the Council to adopt a more flexible approach within this policy in relation to the rural economy.

### 3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

Please give reasons for your answer:

N/A

### 4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We therefore recommend that Policy DM42 is revised as detailed below (additions shown underlined deletions shown with a ~~strikethrough~~).

Where relevant, Proposals for new development will be expected to demonstrate the type and level of travel activity likely to be generated. In order to assist in tackling the climate emergency, this travel activity will be expected to be minimised by the design of developments that support low levels of travel with a focus on local journeys that can be made sustainably. Developments will be required to be supported through a range of infrastructure associated with different transport modes in a manner that is proportionate to the proposed development and takes into account its location. New development will ~~only~~ be supported where the relevant transport infrastructure is delivered in a timely

manner. Where required, new developed will be expected to make a proportionate contribution to the provision or improvement of a range of transport infrastructure. This transport infrastructure will ~~specifically, but not exclusively,~~ include the following:  
[...]

**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Development Management Policies: Fostering Economic Growth & Supporting Local Communities
Policy:	Policy DM44 (Parking)
Appendix:	
Policies Map:	
Other:	

**1. Legally Compliant**

Please see the guidance notes for an explanation of what 'legally compliant' means.

**Do you consider the Local Plan Review is legally compliant?**

Yes  No

Please give reasons for your answer:

N/A

**2. Soundness**

Please see the guidance notes for an explanation of what 'soundness' means.

**Do you consider the Local Plan Review is sound?**

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

*Please give reasons for your answer:*

We welcome the Council's approach to assess the level of vehicular parking for non-residential developments to be judged on case by case basis. However, we have reservations about the proportionality of the requirement to provide for other ultra-low emission vehicles, car sharing spaces and car club vehicles.

### 3. Complies with the Duty to Co-operate

*Please see the guidance note for an explanation of what 'Duty to Cooperate' means.*

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

*Please give reasons for your answer:*

N/A

### 4. Proposed Changes

**Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).**

*You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

We therefore recommend that Policy DM44 is revised as detailed below (additions shown underlined deletions shown with a ~~strikethrough~~).

In addition to cycle and motorcycle parking and adequate provision of spaces for electric vehicles to plug-in, priority should be given to provision for other ultra-low emission vehicles, car sharing spaces and car club vehicles where relevant.

[...]

Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	
Policy:	
Appendix:	
Policies Map:	
Other:	Settlement Boundary Review Background Paper (December 2022)

### 1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

### 2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
<b>Positively Prepared:</b> The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		<b>x</b>
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		<b>x</b>
<b>Effective:</b> the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground	<b>x</b>	
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		<b>x</b>

*Please give reasons for your answer:*

The settlement boundaries have been reviewed in the Settlement Boundary Review Background Paper published in December 2022, a paper which forms part of the 'evidence base' supporting the Draft Local Plan.

We note that the scope of these reviews for smaller settlements was extremely limited and mainly consisted of slight tweaks to the existing boundaries, as opposed to any more significant changes to include adjoining built form or meaningful extension of settlements to reflect functional relationships. Map 54, contained in appendix 3 of the Settlement Boundary Review Background Paper shows that the review of Yattendon applied this limited approach and has not sought to include existing development to the south within an updated settlement boundary.

The existing built form to the south of the existing boundary (comprising The Withys / Home Farm Cottages and the Renegade Brewery) forms part of the functional operation of Yattendon Village in combination with the central cricket pitch. This area of built form comprises 21no dwellings and 14no commercial properties, amounting to approx. 8,400m<sup>2</sup> of commercial floorspace. These commercial premisses employ 120no people. Due to its scale and functional relationship, this area should be included within the Yattendon settlement boundary.

The Settlement Boundary Review Background Paper lists the criteria of inclusion of land within a settlement boundary (pages 7 and 8). Page 8 in particular set out the specific issues to be considered on a site by site basis and we note that leisure uses located on the edge of settlements will be considered according to their scale, functionality, visual and physical relationship to the settlement.

The cricket pitch, which represents a leisure use, shares two boundaries with the existing settlement boundary of Yattendon and therefore they are physically connected. The Withys / Home Farm Cottages and the Renegade Brewery are sited directly to the south of the cricket pitch, on a third side, emphasizing the functional and visual relationship of this built form with the settlement of Yattendon as currently defined.

On the basis of the above, we request that the settlement boundary for Yattendon is expanded to include the cricket pitch, The Withys, Home Farm Cottages and the Renegade Brewery.

Alternatively, should the Council not wish to include the cricket pitch, a second separate settlement boundary for Yattendon should be introduced to comprise The Withys, Home Farm Cottages and the Renegade Brewery. We note that other settlements within the district, such as Enborne Row and Eastbury, comprise 2 separate boundaries and this approach should also be applied to Yattendon.

### **3. Complies with the Duty to Co-operate**

*Please see the guidance note for an explanation of what 'Duty to Cooperate' means.*

**Do you consider the Local Plan Review complies with the Duty to Co-operate?**

Yes

No

*Please give reasons for your answer:*

N/A

#### 4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see above.

#### 5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?

Yes

No

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

#### 6. Notification of Progress of the Local Plan Review


Do you wish to be notified of any of the following?

Please tick all that apply:

Tick

The submission of the Local Plan Review for Independent Examination	x
The publication of the report of the Inspector appointed to carry out the examination	x
The adoption of the Local Plan Review	x

Please ensure that we have either an up to date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy team.

Signature		Date	03/03/2023
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Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.



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Planning Policy Team,  
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Market Street,  
NEWBURY.  
RG14 5LD

34922/A3/PT/dw

**BY EMAIL: [planningpolicy@westberks.gov.uk](mailto:planningpolicy@westberks.gov.uk)**

3<sup>rd</sup> March, 2023

Dear Sir/Madam,

**WEST BERKSHIRE LOCAL PLAN REVIEW PROPOSED SUBMISSION (REGULATION 19)  
CONSULTATION  
REPRESENTATIONS SUBMITTED ON BEHALF OF YATTENDON ESTATE**

We write on behalf of our client, Yattendon Estate, in response to the 'West Berkshire Local Plan Review Proposed Submission (Regulation 19) Consultation'.

We note that our client is broadly supportive of the Plan, including its Vision and Objectives, which clearly recognises the role that small and medium-sized enterprises play in ensuring a resilient and sustainable economy. Further, our client welcomes the Council's aspirations to continue to conserve and enhance the North Wessex Downs AONB, with appropriate landscape-led development delivering wider environmental, economic and social benefits.

Notwithstanding the above, our client has concerns as to whether the Plan provides a 'sound' strategy to deliver sustainable development. On this basis, we have prepared the enclosed representation form, covering emerging policies related to Spatial Strategy, North Wessex Downs AONB, transport, heritage and sustainability.

It is noted that the Council held an Extraordinary Meeting on 2<sup>nd</sup> March to decide whether they proceed or withdraw the current consultation. The related agenda item itself describes the current Local Plan consultation as containing serious 'omissions and ambiguities' which make the plan unsound. The flaws appear to principally relate to the northeast Thatcham allocation and how processes were followed including communication of key information to Council Members. The housing number relevant to this allocation is also in doubt. The ultimate vote resulted in the motion being lost and the Plan consultation to continuing. These important matters of soundness and related procedural matters will need to be addressed prior to the submission of the plan for examination. We reserve our position with respect to making further representations on this matter at any subsequent consultation or at the Examination stage or at any further.

We hope that our representations are helpful in the further development of the Local Plan Review 2022-2039. We would welcome the opportunity to be notified of the progress of the Local Plan Review and to participate in the examination hearing session. Should you have any queries or require any further clarification on the above matters, please do not hesitate to contact the writer on 01189430000 or, via email [patricia.terceiro@bartonwillmore.co.uk](mailto:patricia.terceiro@bartonwillmore.co.uk).

Yours faithfully,



**PATRICIA TERCEIRO**  
Senior Planner

Encs.