

# **WEST BERKSHIRE LOCAL PLAN REVIEW**

Land adjoining New Road, Newbury

Representation on Regulation 19 Consultation on the proposed submission West Berkshire Local Plan Review 2022 – 2039 (dated January 2023)

Prepared by Pro Vision on behalf of Rivar Ltd.

March 2023

LAND ADJOINING NEW ROAD, NEWBURY  
WEST BERKSHIRE LOCAL PLAN REVIEW  
PROJECT NO. 50975

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## 1.0 Introduction

1.1 This representation is made on behalf of Rivar Ltd. in relation to their interest at 'Land adjoining New Road, Newbury (HELAA Ref: GRE6)'. It is in response to West Berkshire's Regulation 19 Consultation on the proposed submission version of the West Berkshire Local Plan Review (LPR) to 2039.

1.2 Rivar's land has previously been promoted for development through the Council's Call for Sites, LPR 'Issues and Options' Consultation undertaken in November 2018 and 'emerging draft' LPR Consultation concluding in February 2021. Indeed, the site was included as a preferred allocation (Policy RSA5) for residential development for around 10 dwellings in the 'emerging draft' LPR.

1.3 The Council's HELAA (Dec 2020) concluded that the Site is 'potentially developable in part'. However, the Council's Updated HELAA (Jan 2023) now identifies that the Site is 'not developable within the next 15 years' and has been removed as a housing site allocation from the Plan.

1.4 This representation is supported by the following documents:

- Proposed Submission Local Plan Review Comment Forms (relating to the 'Vision and Objectives', Policy SP12, Policy SP13, Policy SP16, Policy SP17, Appendix 2: Settlement Boundary Review and Appendix 8: Housing Trajectory);
- Site Location Plan prepared by Pro Vision (Appendix A);
- Illustrative Site Plan prepared by Pro Vision (Appendix B); and
- Ancient Woodland Assessment prepared by Sylvan Consulting (enclosed separately);

1.5 In order to consider whether a Local Plan is sound, reference needs to be made to the National Planning Policy Framework ('the Framework') paragraph 35. This identifies that a sound Plan is:

- a) **Positively Prepared** – 'providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development';

- b) **Justified** – ‘an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence’;
- c) **Effective** – ‘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’; and
- d) **Consistent with National Policy** – ‘enabling the delivery of sustainable development in accordance with the policies in this Framework’.

1.6 In summary, having looked at the evidence base behind the LPR, we consider that the proposed development strategy, including the housing strategy, is flawed in that it is unlikely to deliver as the Council predicts, and that opportunities to identify a more robust delivery strategy have been missed.

1.7 Therefore, we consider that a number of the aspects of the LPR are unsound and require changes to the Plan. As such, we have provided some recommended changes under each section below.

## 2.0 Delivering Housing

### Introduction

- 2.1 Policy SP12 explains that provision will be made for 8,721 to 9,146 net additional homes for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2039. It is acknowledged that the target figure of 538 dwellings per annum (dpa) does not constitute a ceiling or cap to development.
- 2.2 The target figure of 538 dpa is a 5% uplift on the local housing need (LHN), as calculated using the standard method.
- 2.3 However, it is considered that there is clear justification for higher housing growth in West Berkshire to meet the level of need identified in the evidence, not least in respect of addressing affordability.

### The Housing Requirement

#### 1) The Duty to Co-operate

- 2.4 The Council, at paragraphs 6.5 to 6.8 of the Plan, note that there is a current unmet need from Reading Borough Council of around 230 dwellings up to 2036 and that there will be a need to consider any further unmet need given the housing needs generated by the standard method (i.e. the 35% uplift to Reading as one of the largest urban areas in England).
- 2.5 The Council also notes that the distribution of any unmet need has not been agreed and will be subject to a further review through the plan making process before the need arises.
- 2.6 Reading has identified that a five year review of its Plan is required by 2024. This will need to include an urban capacity assessment. A revised future unmet need figure is therefore likely to be available shortly. It is anticipated that the future unmet need from Reading will be significant – the housing requirement increases to 907 dpa from Lichfield’s analysis of the standard method for local housing need, dated April 2022 (from 689 dpa in the current Reading Borough Local Plan). However, at this stage without further evidence there is no certainty on what the unmet need will be or how it will be redistributed. However, it is widely accepted that Reading has limited land capacity to deliver these additional housing requirements in full and, therefore, highly likely that neighbours, including West Berkshire will be required to deliver in meeting some of this unmet need.

2.7 To address this expected significant future unmet need from Reading, it is considered that the Plan should include additional flexibility to address this future unmet need.

2) Affordable Housing and Affordability Uplift

2.8 The Vision at Chapter 3 of the Plan states that the Council will ensure that delivering “...**housing of different types, sizes, tenures and affordability will be a priority** in order to provide West Berkshire residents with homes and environs at sustainable locations in towns and villages that meet their needs, whatever their income, stage of life and ability” [our emphasis].

2.9 The Updated Housing Needs Assessment (dated, July 2022) prepared by Icení (on behalf of the Council) confirms that there is a “*notable need for affordable housing, and it is clear that provision of new **affordable housing is an important and pressing issue across the District***” [our emphasis]. The conclusion adds that “*the evidence does however suggest that **affordable housing delivery should be maximised where opportunities arise***” [our emphasis].

2.10 The report advises that the scale of affordable housing need is 697 dpa (a 188% increase on need following the Council’s Housing Needs Assessment in 2020). This is also 136% of the standard method minimum LHN. Accordingly, the report advises that theoretically if 40% of all new housing delivered was for affordable housing around 1,740 dpa would be needed to meet West Berkshire’s affordable housing need in full (paragraph 3.24). The Council’s affordable housing position is clearly worsening.

2.11 It is acknowledged that the delivery of housing in line with the standard method figure may over time improve the affordability of market housing (and thus reduce affordable housing needs) through the affordability uplift in the standard method. However, West Berkshire’s past housing delivery rates have generally been in line - if not greater - than the current minimum LHN and yet affordability problems/affordable housing need remains pressing. As a result, not positively addressing the affordability problems and affordable housing need across West Berkshire in this plan period could have significant social and economic consequences which do not appear to have been appropriately considered, including in the Sustainability Appraisal (SA/SEA) for Policy SP12.

2.12 For this reason, the calculation of affordable housing need supports an increase in the overall housing requirement. Further, the current proposed level of housing is not aspirational and will not help the Council deliver its Local Plan ‘Vision’. The Council’s Vision provides the

context of the Local Plan and, therefore, we observe that the strategic policies and housing requirements do not deliver these principles of the Plan and it will inevitably fail in meeting this key priority.

### 3) The Uncertainty Buffer/Uplift

- 2.13 The Council provide for a 5% buffer/uplift on the minimum LHN. The Council argue that this is to boost supply and have some built-in flexibility.
- 2.14 The Council should be concerned that limiting the housing supply to only a 5% buffer will significantly restrict the delivery of new homes and therefore, amongst other issues, will further raise house prices to levels which create cost barriers to local residents and workers. There are many factors and variables that can affect housing supply, especially in such a constrained district, therefore there is clear justification for a significantly larger buffer. And the recent phosphates issue associated with the River Lambourn is a recent example of unforeseen issues affecting delivery of new homes.
- 2.15 In addition, an appropriate buffer will support greater flexibility in the Plan if the anticipated housing supply does not deliver. This is considered further at Section 3 below.
- 2.16 An appropriate uplift to the housing requirement is likely to fall between 10-20%. This would increase the Council's target housing requirement to 564 - 616 dpa, which would equate to finding a supply of 9,588 – 10,472 dwellings up to 2039. This follows the approach in other recently adopted Local Plans, including South Oxfordshire (c. 27% buffer), Maidenhead (c. 12% buffer), and North Herts (c. 13% buffer). Further, the draft Wokingham Local Plan currently includes a 20% buffer.
- 2.17 The Regulation 18 version of the West Berks LPR included a 10% buffer/uplift. However, it is noted by the Council in the Housing Background Paper that they reduced this figure to 5% to provide a balance between boosting housing supply in the district while considering the limitations and constraints of a largely rural district (paragraph 2.33). This appears to be counter-intuitive; the greater level of constraint, the greater level of buffer is required to provide greater prospect of meeting the housing need, especially where one of the Plan's priorities is to improve affordability. Furthermore, the SA/SEA undertakes an analysis, at Appendix 4 Section 2.1, between LHN+ 5% and LHN+ 10%. The LHN + 10% scores significantly better with 'overall positive, with some significantly positive effects'. However, the SA/SEA concludes at Table 26 of the report that this would put the rural nature of the district at undue



pressure. The SA/SEA therefore takes forward a flawed approach that does not fit with the objectives of the Plan.

2.18 The Council does not provide any justification that a 10% buffer/uplift (or greater) to the housing requirement could not be accommodated within the district. Indeed, none of the key environmental constraints (e.g AONB) in the district or the rural nature of the district preclude the principle of residential development (different to floodplain, Green Belt, internationally protected habitats etc.), but instead will shape the form and direction of growth across the district via the broad spatial strategy. As such, there is no justification to identify such a reduction in the buffer, particularly as there is clear evidence of many more available sites in the HELAA to accommodate further growth.

### **Conclusion**

2.19 Overall, it is considered that the level of housing currently proposed is:

- a) insufficient to support the Government's objective of significantly boosting the supply of housing;
- b) significantly below the Council's aspirations to achieve and address the affordability problem / affordable housing need within West Berkshire;
- c) does not take account of potential unmet need from neighbouring authorities (particularly from Reading) given the changes in local housing needs and
- d) The buffer is too low, given the level of constraint and variables in the district that affect delivery of new homes, and taking account of the level of available sites in identified in the HELAA.

2.20 It is considered that this justifies that West Berkshire's housing target should be increased to between 564 - 616 dpa (i.e. a 10 - 20% buffer/uplift to the minimum LHN), which would equate to finding a supply of between 9,588 – 10,472 dwellings up to 2039. This level of housing will ensure sufficient flexibility to deliver the minimum local housing need, but also provides for choice and contingency to the market and reflect current and future demographic trends and housing market signals and affordability in West Berkshire.

2.21 Accordingly, the Council's housing target does not meet the following tests for soundness: positively prepared, effective or consistent with national policy.

### 3.0 Meeting Housing Need

#### Housing Supply

3.1 The Framework, at paragraph 11 b), confirms that “*strategic policies should, as a minimum, provide for objectively assessed needs for housing...*”. The LPR identifies several sources of housing supply across the plan period at Table 2 of the Plan. These include: retained allocations; existing commitments on unallocated sites; windfall sites; and through new allocations in the Local Plan Review and Neighbourhood Plans.

#### *Existing allocations*

3.2 The history of some of these sites identified in the supply that do not currently have planning permission (around 95 units, excluding Sandleford Park West) or only have outline permission (392 units, excluding Sandleford Park East) or where a site’s delivery has been continually delayed clearly does not support confidence in their timely delivery. As such, it is considered that a 10% non-implementation rate is factored in to, at least, some of this supply would provide a more robust strategy

#### *Non-allocated Sites with planning permission*

3.3 Table 2 shows that nearly 1,958 dwellings are provided on un-allocated sites (including prior approvals) with planning permission. Again, a 10% non-implementation rate should be applied to this figure to provide a more robust strategy as it is unlikely that all these permissions will be delivered.

#### *Windfall allowance*

3.4 The housing supply includes a windfall allowance of 1,949 dwellings (or 26.6% of the total housing supply) up to 2039. It has been based on the average annual delivery on small sites of less than 10 units (excluding prior approvals for permitted development) between 2006 – 2022.

3.5 However, it is recommended that the Council remove or significantly reduce this windfall allowance to provide greater surety of supply through allocations and without having to rely on the use of a windfall allowance which by its nature is uncertain. The latest consultation on the revised Framework and the draft Levelling Up and Regeneration Bill also place a greater emphasis and need to provide a genuinely plan-led system.

- 3.6 The Council contend that delivery of windfalls has been consistent and reliable. The Council has not provided any evidence however about future supply to justify such an approach. There also appears to be a recent trend that opportunities for windfalls are reducing on small sites. As set out at Table 3.1 of the Housing Background Paper the delivery over the last three years 2019/20 to 2021/22 has reduced to an annual average of 97 completions. Indeed, in the last five years the annual average is also only 112 completions, notably lower than LPRs anticipation of 140 dpa.
- 3.7 In addition, it is also worth noting the windfall allowance is taken from smaller sites (i.e. less than 10 new homes) and, therefore, a reliance on sites for potentially between 1-4 dwellings in the housing supply will not deliver any affordable housing and further exacerbate affordable housing need within West Berkshire, contrary to the LPR's priority to improve affordability of housing for its existing and future residents.
- 3.8 As a result, the windfall allowance of around 140 dpa should be removed completely or significantly reduced given recent trends.
- 3.9 The implications of this are important. Even a relatively modest but more realistic reduction to 100 dpa would reduce immediately the total housing supply by, at least, 549 dwellings. The remedy is for more positive planning by taking forward more of the available sites from the HELAA. This will reduce the reliance on windfall sites and provide greater surety of supply through allocations and improve overall affordable housing provision.

### **Future Supply**

- 3.10 Notwithstanding the above comments regarding housing supply, the Plan explains that there is a need to identify sites for a further 1,809 dwellings to meet the 538 dpa target (or 9,146). The Plan allocates some 1,720 homes (which includes 1,500 at NE Thatcham) and a further 80 dwellings to come forward through Neighbourhood Plans.

### *Housing Trajectory*

The Council are already slightly (9 dwellings) short of their housing target figure (LHN + 5%) rather than ahead of the target. However, it is considered that the housing trajectory during the plan period is unrealistic, particularly relating to the strategic allocations.

Sandleford Park (as allocated at Policies SP13 and SP16)

- 3.11 The Housing Background Paper, at Appendix 2, sets out the housing trajectory including the phasing of individual sites. The Council contend that Sandleford East (which benefits from outline planning permission) will begin delivering 100 dpa from 2025/26 through to 2034/35, with 80 dwellings provided during the year 2035/36.
- 3.12 This appears an optimistic timetable, particularly given the previous planning delays with the site (allocated in 2012), that a reserved matters application has yet to be submitted for any phase(s) and the need to address several planning conditions prior to commencement of construction. The start date of 2025/26 for first completions therefore seems very much a 'best case scenario'.
- 3.13 It is understood that the site is being delivered by a single housebuilder. This therefore could lead to a lower absorption rate due to lack of variety of housing product in accordance with the findings of Letwin's Independent Review of Build Out (October 2018). The 100 dpa across the plan period therefore is likely to be impractical and affect site delivery over the plan period.
- 3.14 With regards to Sandleford West, this site does not have any planning permission despite an outline application being submitted in April 2018. It appears that the Council are awaiting an amended package of information and revised plans. Therefore, first completions in 2027/8 is simply conjecture. There will also be a need to submit and agree reserved matters and address conditions ahead of that time.
- 3.15 With the above in mind, it is considered that the Council should take a cautious approach with the delivery of Sandleford Park during the plan period. The Regulation 18 Consultation on the LPR noted that Sandleford Park was expected to deliver 1,000 dwellings across the plan period. This seems a more robust figure than the 1,580 dwellings now proposed, and a more realistic basis for the LPR's development strategy.

North East Thatcham (as allocated at Policies SP13 and SP17)

- 3.16 The Council has reduced the delivery of NE Thatcham from a total of 2,500 dwellings to 1,500 dwellings. Notwithstanding this, the Council anticipate that NE Thatcham will deliver 1,500 homes over the plan period (compared to 1,250 dwellings expected at the Regulation 18 stage). For reasons we discuss below, this appears to be unjustified.

*The justification for NE Thatcham*

- 3.17 The supporting evidence base for NE Thatcham - including the Thatcham Strategic Growth Study (which includes a Vision and Concept Plan) - refer to the delivery of 2,500 homes and has not been updated to reflect the position in the current version of the LPR. This also includes the Viability Testing which tested 2,300-2,500 new homes. This work would need to be updated for any Plan to be found sound.
- 3.18 There is also some uncertainty whether the Council is actually proposing additional housing at NE Thatcham beyond the plan period given the evidence base still refers to 2,500 new homes and the site allocation boundary remains the same. Furthermore, the evidence base includes the 'West Berkshire Strategic Vision 2050' in accordance with paragraph 22 of the Framework (requiring local plans to look beyond the plan period where they include larger scale developments). However, the LPR includes no reference to this strategic vision.
- 3.19 The site allocation policy also still refers to the delivery of the secondary school. However, there is no updated viability appraisal to confirm that this is deliverable for a site of 1,500 new homes in total. This raises the following concerns:
- The Thatcham Growth Study (Stage 3) acknowledges that strategic development at this scale (i.e. 2 500 new homes) is the only approach that is likely to deliver an additional secondary school for the town, without which any growth would cause issues in provision.
  - Again, the Thatcham Growth Study (Stage 3) notes that the scale of development (i.e. 2,500 new homes) would not create the need for a secondary school development on its own and, therefore, is only half-funded by developer contribution. A reduction to 1,500 new homes is therefore likely to increase this funding gap further, with no indication of how this will be resolved.
  - A secondary school would internalise a significant number of trips from the proposed development. Indeed, the Access and Movement Report for NE Thatcham in the Thatcham Growth Study (Stage 3) assumes that the secondary school will have 50% internal trips. Therefore, with question marks over the potential delivery of a secondary school for a site of 1,500 new homes, the sustainability credentials of NE Thatcham are uncertain.

3.20 As a result, the identification of NE Thatcham is not potentially justified as there is a distinct lack of evidence to support the allocation of NE Thatcham for 1,500 new homes and consideration of other reasonable alternatives. In particular, the lack of delivery of a secondary school and reduction in housing numbers would take away the key justification for growth at this location to help deliver new education provision and additional community infrastructure. The SA/SEA, at Appendix 4, acknowledges this but the Council still proceed on this basis as it is considered that 2,500 new homes in Thatcham is too many.

*Scale and timescales for Housing Delivery*

3.21 Notwithstanding the above, the Council's assumptions on the expected housing supply from NE Thatcham are also clearly unreasonable.

3.22 The Housing Background Paper demonstrates that the Council expect NE Thatcham to start delivering 150 dpa from 2029/30 to 2038/2039. On the face of it, this appears to be overly optimistic.

3.23 The market evidence demonstrates that for schemes of 1,500 dwellings, the lead-in time from validation of an application through to first completions is approximately 7 years (Source: Lichfield's Start to Finish (2nd Edition), dated February 2020). As such, given the timescales for the adoption of the Plan (i.e. late 2024 in the LDS) and taking a view that the planning application for this site is submitted by the end of 2024/2025, first completions cannot be projected before 2031/2032. This timescale may be optimistic given there is a need to prepare and agree to a coherent masterplan or development framework, if prior mineral extraction is required and/or there are delays to the adoption of the Plan. In addition, as noted with Sandford Park, the Council has a previous poor record of delivering strategic sites within their expected timescales.

3.24 Furthermore, market evidence suggests that for sites of 1,500, a realistic average annual build out rate is c.100-120 dpa (Source: Lichfield's Start to Finish (2nd Edition)). As such, delivering completions from 2031/32 at 120 dpa would therefore equate to, at best, 960 dwellings over the plan period. A shortfall of 540 dwellings.

## Conclusion

- 3.25 The Housing Background Paper, at Table 3.4, sets out the housing supply and future supply for the Council during the plan period. The table below sets out a comparison with our analysis and findings above:

Supply Category	Net units outstanding (the Council's figures)	Net units outstanding (our analysis of the Council's figures in comparison)
<b>Local Plan retained allocations</b>		
Sandleford Park	1,580	1,000 (-580)
Housing Site Allocations DPD	990	942 (-48)
<i>Subtotal:</i>	2,570	1,942 (-628)
<b>Neighbourhood Plan Allocation</b>		
Stratfield Mortimer	82	82
<b>Local Plan allocations not being retained (due to site being at an advanced stage of construction)</b>		
Newbury Racecourse	465	465
Housing Site Allocations DPD	256	256
<i>Subtotal</i>	721	721
<b>Existing planning commitments on unallocated sites</b>	1,958	1,763 (-195)
<b>Existing planning commitments for C2 Use Class communal accommodation</b>	57	57
<b>New allocations within the LPR</b>	1,720	1,180 (-540)
<b>Sites to be allocated within neighbourhood plans</b>	80	80
<b>Small site windfall allowance to 2039</b>	1,949	1,400 (-549)
<b>Total</b>	<b>9,137</b>	<b>7,225 (-1,912)</b>

- 3.26 With the above in mind, it is considered that currently the Council's housing supply is not sufficient to meet the minimum LHN (8,721 dwellings). Indeed, even by just discounting the expected housing shortfall from NE Thatcham during the plan period, this would decimate any headroom built in by the 5% buffer/uplift and the Council's housing supply would fail to meet the minimum LHN ( $9,137 - 540 = 8,597$ ).
- 3.27 Accordingly, the Council's approach to housing delivery does not meet the following tests for soundness: positively prepared, effective or consistent with national policy.
- 3.28 As a result, it is concluded that the LPR should be allocating more sites for housing over the plan period that is consistent with the broad spatial strategy, and noting that many available sites in the HELAA including at 'land at New Road, Newbury' have been overlooked. The level of housing shortfall (potentially around 2,363 - 3,247 dwellings when providing a 10 - 20% buffer to the LHN in accordance with comments at Section 2) is substantial and, therefore, should be addressed through allocations in this Plan rather than any early/immediate review of the Local Plan, which would be to defer difficult, strategic planning decisions rather than demonstrating positive planning now.



## 4.0 Land adjoining New Road, Newbury and Site Assessment

- 4.1 In the context of these concerns about the vulnerability of the submitted development strategy, and the obvious remedy to identify a greater yield of new homes from the available sites in the HELAA, we turn to our client's land which was removed as a preferred allocation ('Land adjacent New Road, Newbury (HELAA Ref: GRE6)')
- 4.2 Whilst the 'emerging draft' LPR included GRE6 as a preferred site allocation, it is not now currently selected for development in the proposed submission version of the Plan. The Council's HELAA (Dec 2020) concluded that the Site is 'potentially developable in part'. However, the Council's Updated HELAA (Jan 2023) now identifies that the Site is 'not developable within the next 15 years'. The Council contend that advice on ancient woodland has changed and, therefore, the site is no longer suitable for development. We disagree with this revised assessment/conclusion for the reasons set out below.
- 4.3 Accordingly, we are of the view that the Council should include our client's land, in addition to other sites that have been overlooked, for allocation in the Local Plan Review (this Rivar site alone will not remedy the issues we have identified).

### **Suitability of GRE6**

- 4.4 The 'emerging draft' LPR included a draft site allocation Policy for 'land adjacent New Road, Newbury'. This confirmed that "*detailed policy criteria will be developed to highlight specific mitigation measures and infrastructure requirements that will cover amongst others a buffer between the developable area and the ancient woodland that is situated to the west of the site, and access*".
- 4.5 The Council's HELAA document now concludes that the advice on ancient woodland has changed and there is a need for a buffer greater than 15m. Overall, the HELAA concludes that '*the impact on the ancient woodland would be so great that the site is not suitable for development*'. In respect of this, we comment as follows:
- 4.6 An assessment of the ancient woodland for Rivar was prepared in July 2022 by Sylvan Consulting and accompanies these representations. The assessment confirms that West Wood includes a number of indicator species plants supporting its very long term presence and, therefore, is suggestive of being ancient woodland (albeit, this could not be confirmed definitively).

- 4.7 The assessment acknowledges paragraph 180 c of the Framework and the Standing Advice jointly published by Natural England & Forestry Commission. The assessment concludes that a 15m buffer would be satisfactory alongside additional protective measures (e.g zero development in the buffer zone, avoidance of residential curtilage backing onto buffer and reinforcement of woodland edge) as part of the design scheme.
- 4.8 This approach to the ancient woodland is similar to that taken at the Sandford Park East I and that was supported by the Inspector and Secretary of State in the recent appeal decision (Ref: APP/W0340/W/20/3265460). The Inspector accepted that a 15m buffer to the ancient woodlands was adequate, alongside other mitigation measures.
- 4.9 The assessment also identifies that there are current management challenges facing West Wood. As such, any development of the site could help secure a long-term management strategy of the woodland through a S106.
- 4.10 Overall, it is considered by the technical experts that with a 15m buffer, together with the additional protective measures and a long term management strategy, the overall effect of development would be ‘significantly net-beneficial’. This therefore should carry significant weight in favour of re-allocating the site for housing, contrary to the Council’s revised assessment in the HELAA.
- 4.11 An Illustrative Site Plan, at Appendix B, demonstrates how the development of the site could accommodate 10 dwellings, as previously suggested by the Council. The proposed development will provide a minimum 15m buffer to the edge of the surrounding woodland and respect the significant trees within the site. It also ensures that residential curtilage is situated away from the buffer zone. The site would provide a mix of predominantly 2 and 3 bed dwellings and integrate with the surrounding residential development.
- 4.12 It is considered that developing the ‘Land adjoining New Road, Newbury’ remains a developable option for the following reasons:
- a) There is a need to identify a range of sized sites for housing in West Berkshire to meet the indicative housing requirements during the plan period. Due to its modest scale, the Site can be built out quickly in accordance with paragraph 69 of the Framework.

- b) The site is located in the 'Newbury and Thatcham Area' which is capable of accommodating significant levels of growth given the range of services and facilities it currently offers and is therefore a sustainable location for development.
- c) The land has a strong relationship with the existing residential development to the north and follows the existing pattern of the settlement.
- d) The site is visually well contained by existing woodland and trees which affords a degree of separation from the wider landscape.
- e) An appropriate buffer (i.e. 15 metres) can be maintained to the Ancient Woodland (see above for further comments).
- f) The site is not subject to any specific environmental or statutory designations such as Green Belt, Special Protection Area (SPA), Area of Outstanding Natural Beauty (AONB), Site of Special Scientific Interest (SSSI) and outside the DEPZ emergency zone.
- g) The site is located in Flood Zone 1 (i.e. low probability of flooding) and a sustainable drainage system would be provided.
- h) The site has access to local employment opportunities within Newbury, Greenham and beyond.

**Availability of GRE6**

- 4.13 The site is available for a residential development immediately. Rivar, as a local developer, has an option on the site which will facilitate its timely development.

**Achievability of GRE6**

- 4.14 The site is considered to be 'achievable' for the reasons set out below:
- A vehicular access can be delivered via New Road/Lamtarra Way.
  - The site is greenfield - therefore it is likely that there are no significant constraints (such as contamination) which would preclude development of the site on viability grounds.

- Rivar enjoys a reputation for building high quality homes in desirable locations throughout central southern England and is based in Newbury. In recent years, Rivar has delivered a range of different sized housing schemes across West Berkshire. It has a good track record of delivery.

### **Summary**

- 4.15 There are no insurmountable constraints that would prevent the delivery of the 'Land adjacent New Road, Newbury' (Ref: GRE6)' for development. Our specialist evidence indicates that the Council's conclusions in regard to ancient woodland are not well founded. The site is therefore suitable, available and achievable for residential development which can help West Berkshire meet the identified housing need in a timely and sustainable manner. Accordingly, we are of the view that the Council should consider the re-allocation of our client's site in the Local Plan Review.
- 4.16 Alternatively, the site could be included in the settlement boundary given its modest scale. It is considered that character of this area clearly makes a greater contribution to the built form of the area; rather than the wider countryside. Such amendments to the settlement boundaries through the review provides an opportunity to proactively deliver small-scale sites to boost supply and to help meet the Council's housing targets during the plan period.

## 5.0 Conclusion

- 5.1 Rivar has concerns that the Council's Local Plan Review is currently unsound having regard to the tests of soundness at paragraph 35 of the Framework.
- 5.2 It is considered that there are a number of matters that indicate that the proposed strategy is not robust and, therefore, liable to fail in its objectives. There is justification to increase the housing requirement, to address these issues including:
- The Plan's priority to improve affordability and to deliver additional affordable homes;
  - The need to boost supply significantly and to build in greater flexibility in the Plan if the anticipated housing supply does not deliver; and
  - Unmet need from neighbouring authorities (e.g Reading);
- 5.3 With the above in mind, it is considered that West Berkshire's housing target should be increased to between 564 - 616 dpa (i.e. a 10-20% buffer/uplift to the minimum LHN), which would equate to finding a supply of between 9,588 – 10,472 dwellings up to 2039.
- 5.4 In addition, the Council's housing supply would fail to meet the minimum LHN. This is particularly due to reliance on windfall sites and large strategic sites (e.g Sandford Park and NE Thatcham) that are questionable in terms of timescales for housing delivery and annual rate of completions. The Council's justification for the allocation NE Thatcham is also potentially unsound, particularly given the lack of updated evidence and reduction in housing numbers.
- 5.5 As a result, and noting the significant amount of available land in the HELAA that has been overlooked, it is concluded that the remedy is for the LPR is to allocate more sites for housing over the plan period, consistent with the broad spatial strategy i.e. focusing development on the most sustainable settlements, including Newbury, in accordance with the settlement hierarchy (Policy SP3/Table 1 District Settlement Hierarchy).
- 5.6 Accordingly, we are of the view that the Council should consider 'land adjacent New Road, Newbury', in addition to other sites that have been overlooked in suitable locations, for allocation in the Local Plan Review. We contend that the site is suitable, available and achievable and therefore the Council has been premature and unjustified in declaring it

undevelopable over the plan period and removing the allocation from the Plan. Its allocation would, in principle, be consistent with the settlement hierarchy. Alternatively, in this instance there is also an opportunity to simply amend the settlement boundary as part of the Council's review to provide additional opportunities for growth to help meet the Council's housing targets during the plan period.

5.7 We trust this Statement clearly sets out our client's position at this stage and respectfully request that the above is given due consideration as part of the West Berkshire Local Plan Review.

## Appendix A – Site Location Plan

SITE LOCATION PLAN



Site Boundary

st Wood

Path

Issues

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REV.	DATE	AMENDMENTS	DRAWN	CHECKED
1	21.09.17		CD	IC

CLIENT:  
Rivar Ltd

PROJECT:  
New Road (North)  
Newbury HELAA Submission

DRAWING:  
Site Location Plan

DATE:  
December 2018

SCALE: 1:1000 @ A3

DWG NO: 2288/SK00

REV: #



www.pro-vision.co.uk



## Appendix B – Illustrative Site Plan



**KEY**

- Ancient Woodland, boundary
- Landscape buffer to AW, 15m minimum
- Existing tree with RPA + canopy
- Proposed tree
- Proposed groundcover, planting
- Private garden
- New access road, 5.5/4.8m with 2m footway
- Proposed shared driveway
- Proposed parking space
- Proposed dwelling
- Proposed cycle store
- Proposed bin storage area
- Proposed bin collection point
- Proposed fencing, 1.8m CBF
- Proposed garden wall 1.8m brickwork

**Schedule of Accommodation**

Unit 01 = 3 Bed House Open Market	-	GIA: 92.9	sqm
Unit 02 = 2 Bed House Open Market	-	GIA: 74.3	sqm
Unit 03 = 2 Bed House Open Market	-	GIA: 74.3	sqm
Unit 04 = 3 Bed House Affordable	-	GIA: 92.9	sqm
Unit 05 = 3 Bed House Affordable	-	GIA: 92.9	sqm
Unit 06 = 2 Bed House Affordable	-	GIA: 74.3	sqm
Unit 07 = 2 Bed House Affordable	-	GIA: 74.3	sqm
Unit 08 = 3 Bed House Open Market	-	GIA: 92.9	sqm
Unit 09 = 3 Bed House Open Market	-	GIA: 92.9	sqm
Unit 10 = 4 Bed House Open Market	-	GIA: 143.3	sqm

**PRELIMINARY**

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REV	DATE	AMENDMENTS	DRAWN	CHECKED
A	18.02.22	General NPA to Plot 1 updated	09	02
B	05.03.22	Amendments following tracking info	09	02
C	28.02.22	Amendments to access following highway info	09	02

CLIENT:  
Rivar Ltd

PROJECT:  
New Road (North)  
Newbury

DRAWING:  
Illustrative Site Plan

DATE:  
February 2022

SCALE: 1:500 @ A2

DWG NO: 50975-P1-02

REV: C




**West Berkshire Local Plan Review 2022-2039**
**Proposed Submission Representation Form**
**Ref:**
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	<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>

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- Part B - Your representation(s): please fill in a separate sheet for each representation you wish to make

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	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title (where relevant):		
Organisation (where relevant):		Pro Vision
Address* <i>Please include postcode:</i>		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		██████████
Telephone number:		01962 677044

\*Mandatory field

## Part B – Your Representation

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*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):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	Chapter 3 – Vision and objectives Paragraph 3.2 - Vision Strategic Objective 2: Housing
Policy:	
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:*

## 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		X
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
<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		X
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

The Vision confirms that the Council will make available “...**housing of different types, sizes, tenures and affordability will be a priority** in order to provide West Berkshire residents with homes and environs at sustainable locations in towns and villages that meet their needs, whatever their income, stage of life and ability” [our emphasis]. The ‘Housing’ objective explains that a key objective of the Plan is to meet its’s housing need by providing a range of housing, including affordable housing.

Please see accompanying statement for our full representations. In brief, the housing target is insufficient to boost the supply of housing and provide flexibility, address affordability and need for affordable housing in the district and the housing supply would likely lead to a housing shortfall below the LHN, particularly due to reliance on windfall sites and the large strategic sites.

As such, the Council’s strategic policies of the Local Plan (i.e. Policy SP12 and the strategic site allocations etc.) do not currently deliver the Plan’s vision and objectives and are unsound.

## 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:

#### 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 accompanying statement for our full representations.

There is justification that West Berkshire’s housing target should be increased to between 564 - 616 dpa (i.e. a 10 - 20% buffer/uplift to the minimum LHN). This level of housing will ensure sufficient flexibility to deliver the minimum local housing need, but also provides for choice and contingency to the market and reflect current and future demographic trends and housing market signals and affordability in West Berkshire. As such, the LPR should be allocating more sites for housing over the plan period that is consistent with the broad spatial strategy.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

*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.*

<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
------------------	---------------------	-------------	-------------------

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**Proposed Submission Representation Form**
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	<b>By email:</b> <a href="mailto:planningpolicy@westberks.gov.uk">planningpolicy@westberks.gov.uk</a>
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First Name:*		Gareth
Last Name:*		Johns
Job title (where relevant):		
Organisation (where relevant):		Pro Vision
Address* <i>Please include postcode:</i>		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		████████████████████
Telephone number:		01962 677044

\*Mandatory field



## Part B – Your Representation

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Your name or organisation (and client if you are an agent):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	Paragraphs 6.1 to 6.25
Policy:	Policy SP12: Approach to Housing Delivery
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:*

## 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		X
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
<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		X
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying statement for our full representations.

In summary, it is considered that the level of housing currently proposed is:

- insufficient to support the Government's objective of significantly boosting the supply of housing;
- significantly below the Council's aspirations to achieve and address the affordability problem / affordable housing need within West Berkshire;
- does not take account of potential unmet need from neighbouring authorities (particularly from Reading) given the changes in local housing needs; and
- The buffer is too low, given the level of constraint and variables in the district that affect delivery of new homes, and taking account of the level of available sites in identified in the HELAA.

In addition, there is concern that the Council expected housing supply is not sufficient to meet the minimum LHN and will lead to a significant housing shortfall across the plan period.

## 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:

**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 accompanying statement for our full representations.

In summary, it is considered that West Berkshire’s housing target should be increased to between 564 - 616 dpa (i.e. a 10-20% buffer/uplift to the minimum LHN), which would equate to finding a supply of between 9,588 – 10,472 dwellings up to 2039.

**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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

*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
---------------------------------------	---

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<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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Last Name:*		Johns
Job title (where relevant):		
Organisation (where relevant):		Pro Vision
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Email address:*		████████████████████
Telephone number:		01962 677044

\*Mandatory field

## Part B – Your Representation

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Your name or organisation (and client if you are an agent):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	
Policy:	Policy SP13: Sites allocated for residential and mixed-use development in Newbury and Thatcham
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:*

## 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		X
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
<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		X
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please refer to our accompanying statement for our full representations.

Our assessment of the housing requirement and supply demonstrates that there is a need to allocate additional housing sites that is consistent with the broad spatial strategy.

## 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:

#### 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 accompanying statement for our full representations.

There is a need to allocate additional housing sites. Accordingly, we are of the view that the Council should reconsider allocation our clients' site at 'land adjacent New Road, Newbury', in addition to other sites that have been overlooked, for allocation in the Local Plan Review. There are no significant technical, physical, or environmental constraints that would prevent development of the site and its delivery.

The specialist evidence indicates that the Council's conclusions in regard to ancient woodland are not well founded and, therefore, the site should be re-considered for allocation in the Plan.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

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*Please tick all that apply:*

*Tick*

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<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title <i>(where relevant):</i>		
Organisation <i>(where relevant):</i>		Pro Vision
Address* <i>Please include postcode:</i>		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		████████████████████

Telephone number:	01962 677044
-------------------	--------------

*\*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):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	
Policy:	Policy SP16: Sandleford Strategic Site Allocation
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:*

## 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		X
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
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<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying statement for our full representations.

It is considered that the housing delivery of 1,580 dwellings at Sandleford Park during the plan period is questionable.

## 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:

#### 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 accompanying statement for our full representations.

In brief, it is considered that the Council should take a cautious approach with the delivery of Sandford Park during the plan period. The Regulation 18 Consultation on the LPR noted that Sandford Park was expected to deliver 1,000 dwellings across the plan period. This seems a more robust figure than the 1,580 dwellings now proposed, and a more realistic basis for the LPR's development strategy.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

*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.*

<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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**Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.**


**West Berkshire Local Plan Review 2022-2039**
**Proposed Submission Representation Form**
**Ref:**
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Please complete online or return this form to:	<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
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	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title <i>(where relevant):</i>		
Organisation <i>(where relevant):</i>		Pro Vision
Address* <i>Please include postcode:</i>		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		██████████
Telephone number:		01962 677044

\*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.

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Your name or organisation (and client if you are an agent):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	
Policy:	Policy SP17: North East Thatcham Strategic Site Allocation
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:*

## 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		X
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
<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		X
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying statement for our full representations.

In summary, it is considered that the housing delivery of 1,500 dwellings at NE Thatcham during the plan period is questionable. Further evidence is required to justify the allocation, particularly given the reduction to 1,500 new homes and the potential lack of delivery of a secondary school.

The market evidence demonstrates that for schemes of 1,500 dwellings, the lead-in time from validation of an application through to first completions is approximately 7 years and a realistic average annual build out rate is c.100-120 dpa.

## 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:

#### 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).**

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Please see accompanying statement for our full representations.

The justification for the allocation of NE Thatcham is questioned. Notwithstanding this, the timescales and annual rate of completions is not supported and appears overly optimistic. As a result, it is considered that the delivering completions from 2031/32 at 120 dpa would equate to, at best, 960 dwellings over the plan period from NE Thatcham.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

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**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

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<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title <i>(where relevant):</i>		
Organisation <i>(where relevant):</i>		Pro Vision
Address* <i>Please include postcode:</i>		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		██████████
Telephone number:		01962 677044

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## 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.

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Your name or organisation (and client if you are an agent):	Pro Vision obo Rivar Ltd.
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**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	
Policy:	
Appendix:	Appendix 2: Settlement Boundary Review
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:*

## 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
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<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		X
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying statement for our full representations.

It is considered that West Berkshire's housing target should be increased and concern that the Council expected housing supply is not sufficient to meet the minimum LHN and will lead to a significant housing shortfall across the plan period.

## 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:

#### 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).**

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Please see accompanying statement for our full representations.

The settlement boundaries should be amended further as part of the Council's review to provide additional opportunities for growth to help meet the Council's housing targets during the plan period, including at 'Land adjacent New Road, Newbury'.

#### 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

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<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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\*Mandatory field

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Your name or organisation (and client if you are an agent):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	
Policy:	
Appendix:	Appendix 8: Housing Trajectory
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:*

## 2. Soundness

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

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

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<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying statement for our full representations.

The housing trajectory likely to lead to a shortfall of housing across the plan period due to reliance on windfall sites and large strategic sites (e.g Sandford and NE Thatcham) that are questionable in terms of their deliverability and overly optimistic assumptions about delivery rates.

## 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:

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Please see accompanying statement for our full representations.

The housing trajectory will need to be updated given the need to allocate additional sites for housing over the plan period. It is also considered that the Plan at Appendix 8 should include the individual phasing of sites to assist monitoring.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

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<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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## ADVICE

**To** Gareth Johns, Pro Vision

**Date** 05.07.22

**Instruction** West Wood, Newbury

**Instruction ref** 42-1027

**Client** Rivar Ltd

**Subject** Ancient woodland adjacent to allocated development site

---

We write further to completion of our desk-based assessment and field work, to set out our findings and recommendations in respect of the matter referred above.

### Part One – Is West Wood ancient woodland?

#### *Introduction*

1. Ancient woodland is defined as *land continuously wooded since at least 1600AD*. Set against this threshold is the fact that the method used by Natural England in compilation of the Ancient Woodland Inventory is a desk-based assessment that typically goes back only to 1860 or so (sometimes ca. 1840). As such, it is known that many woodlands within the Inventory are false-positive inclusions; that is, they are not *ancient woodland*
2. In order to test whether West Wood is correctly included within the Inventory, we have undertaken a combined desk and field exercise to investigate the landscape history of the site, reporting our findings as follows:

#### *Desk-based assessment*

3. Enclosure 1 is a collection of maps and aerial imagery spanning the period present day to 1761. West Wood is present on all of these, albeit with some boundary differences here and there. We do not consider these differences to be material to the present matter.

4. There were few maps produced prior to the Ordnance Survey Draft maps (one of which being the 1808 map in the bundle) of sufficient granularity to show small woodlands. At 5.2ha, West Wood is large enough to be picked up by some old maps, but equally many would omit it due to limitations of scale.
5. In this regard, we are fortunate that Berkshire was mapped to a high level of detail by the cartographer John Rocque in 1761: an extract from his very good map is the oldest in our bundle, which we have marked up with cross-referencing points to correlate to the OSD map of 1808. As you will see, Rocque's map shows West Wood (Figure 1).

Figure 1 – Extract from Rocque's map of Berkshire 1761 with Sylvan markups



6. There are no maps prior to 1761 that we have found that would assist further. As such, it is difficult to pin down its presence/ absence on earlier maps to an extent sufficient to challenge the inclusion of West Wood within the Ancient Woodland Inventory. For this reason, we must turn to field work to shed further light on landscape history.

## *Field work*

7. The site was visited on 22 June 2022. The purpose of the site visit was twofold:
  - i) Assess physical evidence for or against woodland ancientness; and
  - ii) Assess buffer zone requirements relative to potential adjacent development

We will address the second of these in Part Two of this Advice.

8. Physical evidence for or against woodland ancientness typically comprises:
  - i) Old-growth arboricultural features that can be dated to before 1600AD;
  - ii) Sylvio-archaeological remains; and
  - iii) Botanical indicators of long-term woodland presence (“ancient woodland indicator plants”)
9. In brief, whilst we found neither of the first two, we did find a significant number of ancient woodland indicator plants, with 15 being present. Enclosure 2 is an explanatory note setting out our bespoke methodology for reporting and assessing ancient woodland indicator plants, *WISDOM (Woodland Indicators: Strength, Distribution & Occurrence Matrix)*. Enclosure 3 is the *WISDOM* report for West Wood: according to our strong-moderate-weak notation, 2.9.4 indicators were found.
10. Fifteen indicators is a high number for a woodland of this size, particularly as these were found in a single visit that was restricted to a Level 2 walkover assessment of the woodland’s interior peripheral path, together with a modest two transects. As such, it is probable that a detailed (Level 3), two-visit survey would find additional species.
11. Whilst it is not safe to conclude that West Wood is ancient woodland on the basis of indicator plants alone, the presence of what we would characterize as a very significant assemblage is highly suggestive.

## *Conclusion on ancientness*

12. An origin date prior to 1600AD for West Wood cannot be excluded, with the evidence from the indicator plants supporting its very long-term presence. As such, we recommend that the inclusion of this woodland within the Inventory is not challenged.

## Part Two – Interaction with potential adjacent development

### *Introduction*

13. We are briefed that land adjacent to West Wood has been allocated for residential development. We understand that concerns have been raised within the design team as to the effect on the ancient woodland of building out the allocation, being the matter to which we now turn our attention.

## *National Planning Policy & Standing Advice*

14. The NPPF categorizes ancient woodland as an Irreplaceable Habitat, the loss or deterioration of which due to development requires *wholly exceptional reasons* and a *suitable compensation strategy* (NPPF 180c). Where the protective policy at 180c is engaged, i.e. where loss or deterioration would occur, absent either or both of these tests being passed, planning permission should be refused.
15. *Standing Advice* jointly published by Natural England & Forestry Commission, also refers decision-makers to NPPF 180a: if the loss or deterioration amounts to *significant harm to biodiversity*, this policy is also engaged, thus triggering the Mitigation Hierarchy which includes as a first step an alternative site test. Enclosure 4 sets out our note on how the *Standing Advice* should be interpreted in respect of these two policies.
16. The *Standing Advice* also sets out potential adverse effects on ancient woodland from nearby development, together with mitigatory measures to reduce or remove harm. Chief amongst these latter is the provision of a buffer zone between the edge of the woodland (as mapped by the Inventory) and any new development. The minimum depth of the buffer zone is given in the *Standing Advice* as 15m though, in some cases, a greater depth of buffer may be necessary.

## *Assessment and recommendations*

17. In this case, we saw nothing from our field work that would promote a greater depth of buffer. However, in our view, 15m is only satisfactory if the following additional protective measures are put in place as part of scheme design:
  - i) Zero development within the buffer zone, other than swales outside root protection areas of woodland edge trees
  - ii) Avoidance of private curtilage backing directly onto the buffer zone
  - iii) Use of bat-friendly lighting for streets and houses that face towards the woodland
  - iv) Reinforcement of the woodland edge to restrict ad hoc access
18. Concerning the final point, our walkover assessment identified five management challenges facing West Wood:
  - i) Significant invasion by Rhododendron and
  - ii) Sycamore
  - iii) Excessive presence of holly
  - iv) High proportion of ash in the canopy, with losses increasing due to ash dieback
  - v) Ad hoc public access
19. The first three of these effects essentially have the same outcome: they are shading out/suppressing ground flora and woodland regeneration, and so reducing related biodiversity. The fourth effect relates to the long-term viability of the woodland as an area of high forest. The fifth goes to general impacts on woodland biodiversity through unmanaged visitor pressure. Happily, all these issues have relatively straightforward solutions available that can address them.



20. In our view, if the allocation can act as a funding source for woodland management, there is an opportunity for the putative development to have a strongly beneficial effect on West Wood. Assuming landowner cooperation, we recommend that the planning application is supported by a detailed woodland survey (which was beyond our scope), with the resulting data being used to inform a long-term management strategy, funded via the S.106 mechanism.
21. With a 15m buffer zone provided, together with the additional measures at para 17, as well as the management issues being addressed as described, we consider that the overall effect of development on West Wood would be significantly net beneficial. Insofar as ancient woodland enjoys high levels of protection within the planning system, it must follow that measures which preserve and enhance it should carry substantial positive weight in the planning balance.

This completes our advice on those matters we are presently instructed to address.

**Julian Forbes-Laird**

BA(Hons), Dip.GR.Stud, MICFor, MRICS, MEWI, Dip.Arb(RFS)  
Arboriculture & Historic Landscape Assessment

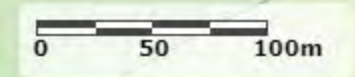
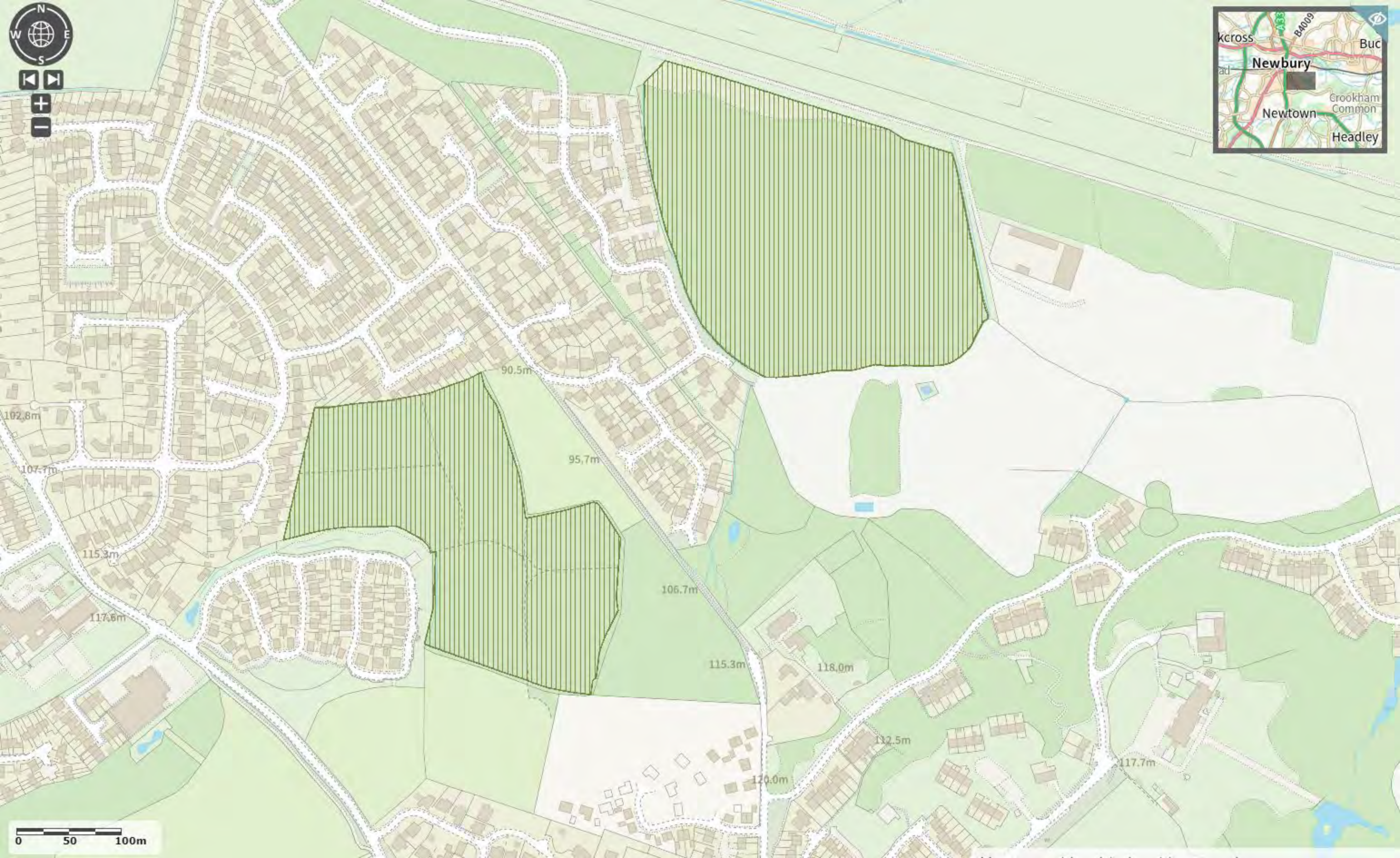
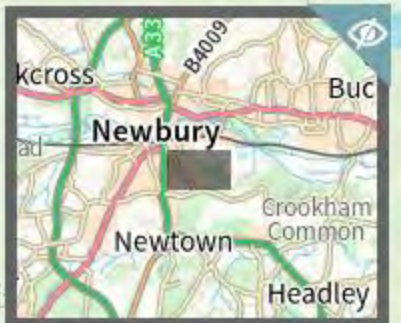


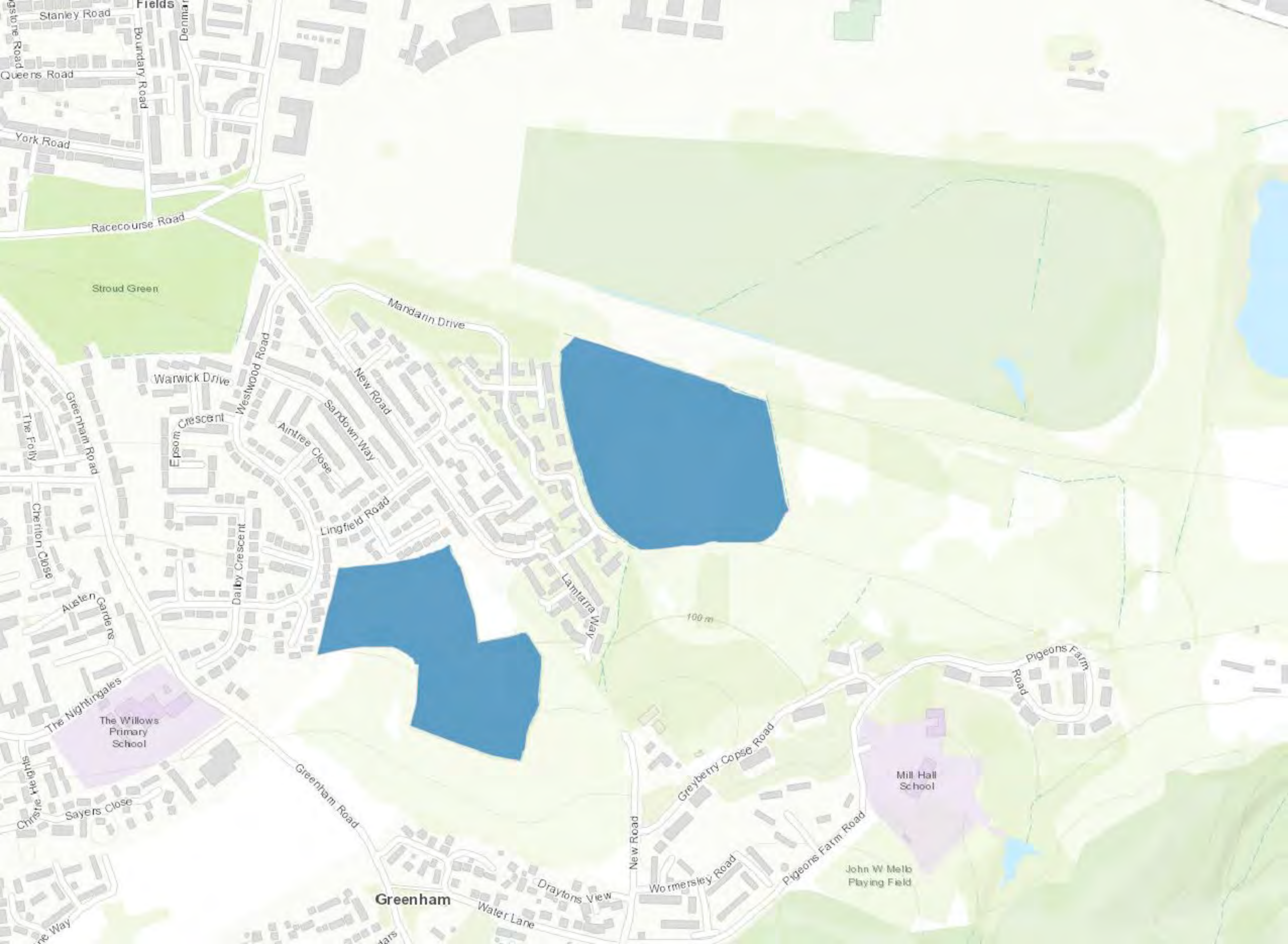
**Alistair Baxter**

BA (Hons), MA (Oxon), MSc, CEcol, CEnv, MCIEEM  
Ecology & Woodland Botany









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Austen  
Carpenters

The Nightingales  
The Willows Primary School

Sayers Close  
Chris

ne Way

Warwick Drive  
Epsom Crescent

Westwood Road  
Dalby Crescent

Greenham Road

Mandarin Drive  
New Road  
Sandown Way  
Aintree Close  
Lingfield Road

Greenham Road

Greenham  
Water Lane  
Draytons View

Lamiera Way

New Road  
Wormersley Road

100 m

Greyberry Copse Road  
Pigeons Farm Road

John W Mellb Playing Field

Mill Hall School

Pigeons Farm Road



7/2020

Highclere Strings String Quartet

DB Health & Conditioning  
Alpha Enterprises

Chester Cl

Lis Allen Personal Development

Porter End

Dalby Cres

Windsor Rise

Westwood Rd

Lamtarra Way

N-abling-u

Westwood Rd

Webstar - The Website Design Company

Ascor Cl

Kersten Cl

Lamtarra Way

Cutting Hedge Landscapes

New Rd

New Rd

Greenham Rd

Woodlands View

Woodlands View

Woodlands View

Great Cres

High Garden

High Garden

New Rd

Wallis Gardens

West Berks Indoor Bowling Club

Greenham Rd

St Mary's Church, Greenham

Google Earth

163 m

1985

Imagery Date: 7/30/2020 lat 51.390902° lon -1.305947° elev 91 m eye alt 826 m

12/2010



Lis Allen Personal Development

DB Health & Conditioning  
Alpha Enterprises

Highclere Strings String Quartet

N-abling-u

Cutting Hedge Landscapes

Webstar - The Website Design Company

St Mary's Church, Greenham

West Berks Indoor Bowling Club

Image © 2022 Getmapping pic

Google Earth

1985

163 m

Imagery Date: 1/1/2010 lat 51.391133° lon -1.306678° elev 90 m eye alt 826 m



Lis Allen Personal Development

DB Health & Conditioning  
Alpha Enterprises

Highelere Strings String Quartet

Dalby Cres

Windsor Rise

Lingfield Rd

Chester Cl

Lamarra Way

N-abling-u

Westwood Rd

Webstar - The Website Design Company

Ascot Cl

Kersten Cl

Lamarra Way

Cutting Hedge Landscapes

New Rd

Woodlands View

Woodlands View

Great Cres

High Garden

High Garden

New Rd

St Mary's Church, Greenham

West Berks Indoor Bowling Club

Walls Gardens

Greenham Rd

163 m







Race Course

STROUD GREEN

Westwood Farm

Young Copse

Hill House

West Wood

St. Mary's Church

Lodge Covert

Pigeon's Farm

Barnclose Copse

Wellmoor Copse

Roman Pottery Found A.D. 1904

Workhouse Spinney

Norman Cottages

Hall

Oak Plantation

Greenham Lodge

Greyberry Copse

Reeves's Co  
SU 49125 66630  
449125, 166630  
51.39659, -1.29528



Stands

Race Course

Lock  
FB

Lower  
Farm

STROUD  
GREEN

Westwood  
Farm

250

300

350

Pigeon's  
Farm

Old  
Gravel Pit

393

A 339

Greenham

Greenham  
Lodge



# NEWBURY

STROUD GREEN

# GREENHAM

THE FOLLY  
Allotment Gardens

Poor Law Institution  
(Berks County Council P. A. Committee)

Greenham

Bury's Bank

Club House

St. Mary's Church

Greenham Lodge

Pigeon's Farm

Bowdown Farm

Cakeball Copse

Roman Pottery  
Found A.D. 1904

Workhouse  
Spinney

Norman Cottages

Oak Plantation

GOLF COURSE

Sandleford Grove

Fish Pond

Earthworks

Earthworks

Allot. Gdns.

Westwood Farm

Young Copse

West Woods

Lodge Covert

Wellmoor Copse

Greyberry Copse

Reeves Copse

Littlemead Reeves

Bowdown House

Cake Ball

The Mount

Greenham Court

Hill House

Chapel Farm

Barnelose Copse

Bowdown Copse

Cake Ball

Greenham Court Cottages

Gravel Pit

Hall

Posts

Wellmoor Copse

Bowdown Farm

Littlemead Reeves

Bowdown House

Cake Ball

Tank

Workhouse Spinney

Norman Cottages

Oak Plantation

GOLF COURSE

Sandleford Grove

Fish Pond

Earthworks

Earthworks

Allot. Gdns.

Westwood Farm

Young Copse

West Woods

Lodge Covert

Wellmoor Copse

Greyberry Copse

Reeves Copse

Littlemead Reeves

Bowdown House

Cake Ball

The Mount

Greenham Court

Hill House

Chapel Farm

Barnelose Copse

Bowdown Copse

Cakeball Copse

Greenham Court Cottages

Gravel Pit

Hall

Posts

Wellmoor Copse

Bowdown Farm

Littlemead Reeves

Bowdown House

Cake Ball

Tank

Workhouse Spinney

Norman Cottages

Oak Plantation

GOLF COURSE

Sandleford Grove

Fish Pond

Earthworks

Earthworks

Allot. Gdns.

Westwood Farm

Young Copse

West Woods

Lodge Covert

Wellmoor Copse

Greyberry Copse

Reeves Copse

Littlemead Reeves

Bowdown House

Cake Ball

The Mount

Greenham Court

Hill House

Chapel Farm

Barnelose Copse

Bowdown Copse

Cakeball Copse

Greenham Court Cottages

Gravel Pit

Hall

Posts

Wellmoor Copse

Bowdown Farm

Littlemead Reeves

Bowdown House

Cake Ball

Tank

Workhouse Spinney

Norman Cottages

Oak Plantation

GOLF COURSE

Sandleford Grove

Fish Pond

Earthworks

Earthworks

Allot. Gdns.

Westwood Farm

Young Copse

West Woods

Lodge Covert

Wellmoor Copse

Greyberry Copse

Reeves Copse

Littlemead Reeves

Bowdown House

Cake Ball

The Mount

Greenham Court

Hill House

Chapel Farm

Barnelose Copse

Bowdown Copse

Cakeball Copse

Greenham Court Cottages

Gravel Pit

Hall

Posts

Wellmoor Copse

Bowdown Farm

Littlemead Reeves

Bowdown House

Cake Ball

Tank

Workhouse Spinney

Norman Cottages

Oak Plantation

GOLF COURSE

Sandleford Grove

Fish Pond

Earthworks

Earthworks

Allot. Gdns.

Westwood Farm

Young Copse

West Woods

Lodge Covert

Wellmoor Copse

Greyberry Copse

Reeves Copse

Littlemead Reeves

Bowdown House

Cake Ball

The Mount

Greenham Court

Hill House

Chapel Farm

Barnelose Copse

Bowdown Copse

Cakeball Copse

Greenham Court Cottages

Gravel Pit

Hall

Posts

Wellmoor Copse

Bowdown Farm

Littlemead Reeves

Bowdown House

Cake Ball

Tank

Workhouse Spinney

Norman Cottages

Oak Plantation

GOLF COURSE

Sandleford Grove

Fish Pond

Earthworks

Earthworks



EAST FIELDS

# NEWBURY

STROUD GREEN

THE FOLLY  
Allotment Gardens

Greenham Court  
Cottages

Poor Law Institution  
Berkshire County Council P. A. Committee

Camp Close

Workhouse  
Spinney

Roman Pottery  
Found A.D. 1904

Greenham

# GREENHAM

Bury's Bank

Club House

Lower Farm  
B.M. 234-7

Young Copse

Westwood Farm

Hill House

West Woods

St. Mary's Church

Chapel Farm

Greenham Lodge

Lodge Covert

Pigeon's Farm

Barnclose Copse

Bowdown Farm  
B.M. 305-0

Bowdown Copse

Greyberry Copse

Reeves's Copse

Littlemead Reeves

Cake B.

Bowdown House

Stands

Race Course

RIVER KENNET

Rokby Arms  
(P.H.)

The Mount

Greenham Court

Lodge

Filter Bed

Wellmoor Copse

Tank

Sandleford Grove

Crook's Copse

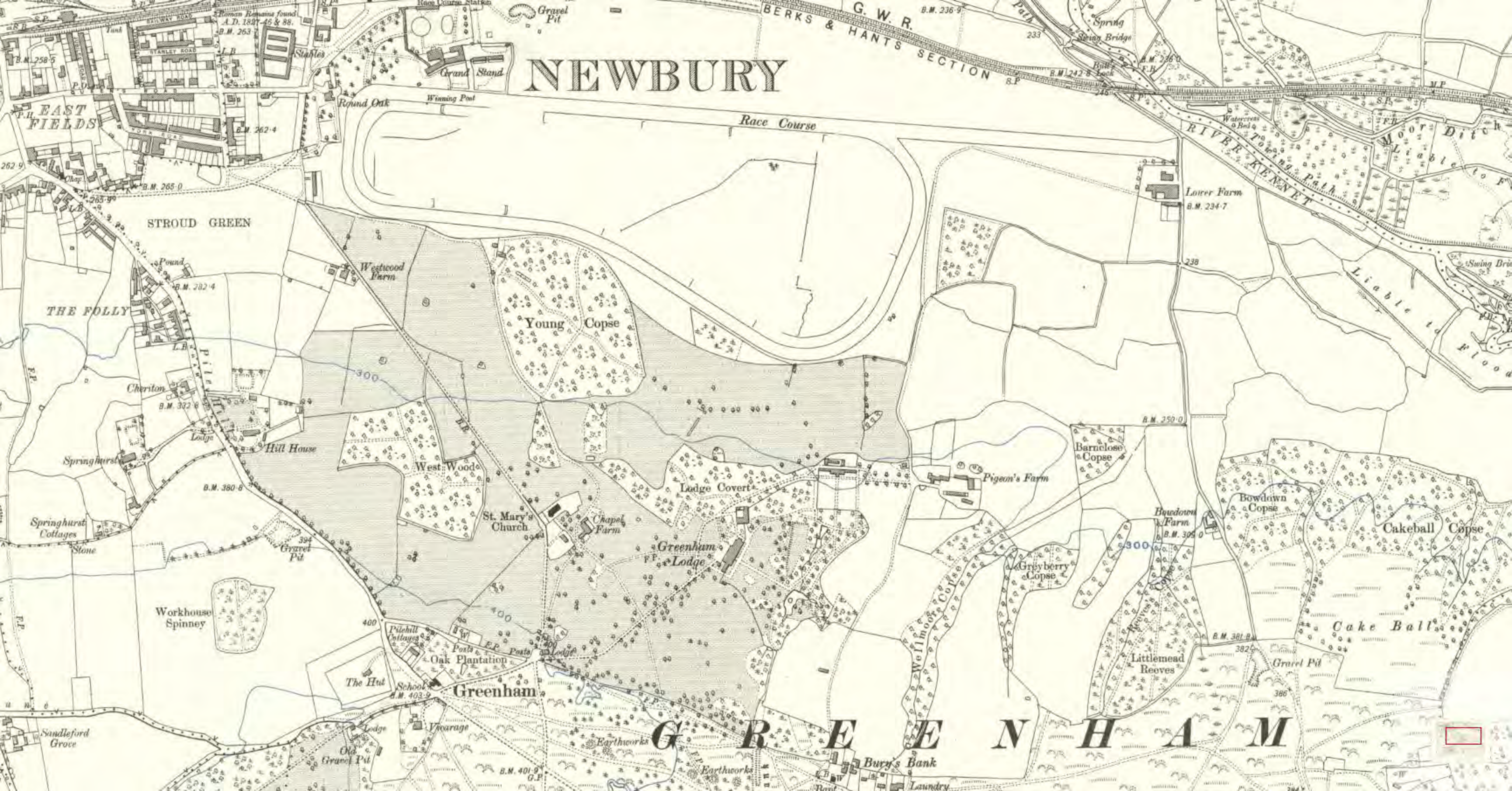
Munl. Boro. By

Earthworks

Earthworks



# NEWBURY





STROUD GREEN

THE FOLLY

Pound

B.M. 282-5

Aviary

Aviary

Young Copse

Lower Farm  
B.M. 234-9

Cheriton

B.M. 324-0

Lodge

Hill House

B.M. 388-8

West Wood

St. Mary's Church

Chapel Farm

Greenham Lodge

Lodge Covert

Pigeon's Farm

Barnclose Copse

Bowdown Farm

Bowdown Copse

B.M. 309-1

Greenham Hill Cottages

Gravel Pit

Cake

Cake B

Pilehill Cottages

Oak Plantations

Lodge

School

Greenham

GREENHAM

Vicarage

Bury's Bank

Laundry

Bapt Chap

Munl. Boro. By.

Sandleford Grove

Gravel Pit

Lodge

Gravel Pit

Littlemead Reeves

Greyberry Copse

Wellmoor Copse

Reeves Copse

B.M. 382-2

382

386

241

B.M. 250-1

300

400

400

403

400





Letter Box  
Holland House  
266

**STROUD GREEN**

Westwood Cottage

The Folly

Pilehill Villas

Young Copse

Pile Hill

**G**

Hill House

**R**

West

**E**

**I**

**N**

**H**

Pigeon's Farm

Wood

S. Mary's Church

Lodge Covert

2563 541

Chapel Farm

Greenham Lodge

Barnelos Copse

B.M. 388.8

393

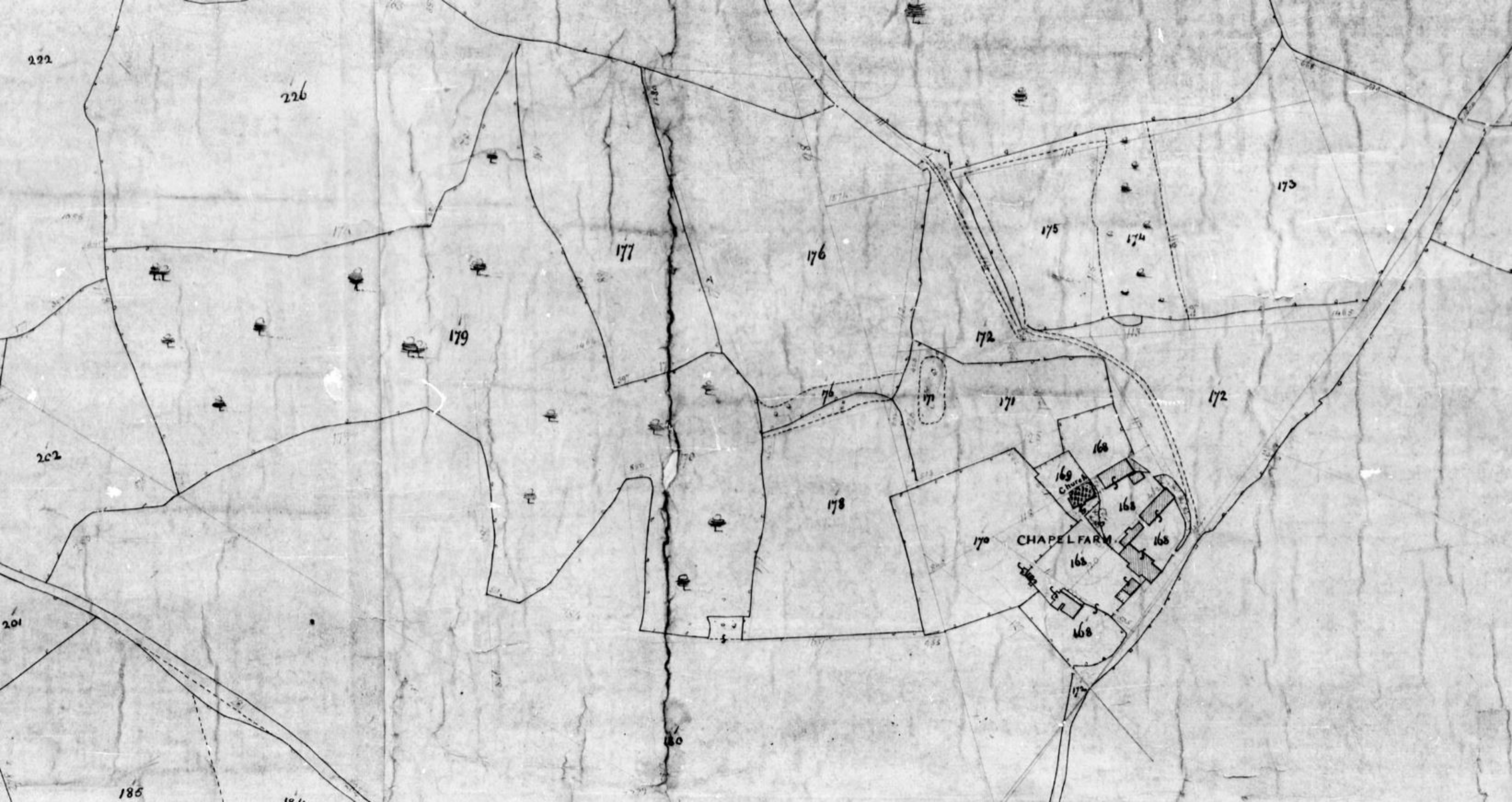
400

400

Sur. 400.2

Oak Plantation











NEW

BURY

Greenham  
Mill

P

Hammar

A

Stroud  
Green

Lower Farm

Pile Hill

Pidgeon  
Farm

Lane

Newton  
Lane

Greenham Chapel

Monkey Lane

Lane

Greenham Heath

## Woodland Indicators: Strength, Distribution and Occurrence Matrix - *WISDOM*

A bespoke methodology for the recording and evaluation of ancient woodland indicator plants

### Background

The overall concept of *Ancient Woodland Indicator* plants (AWIs) is that these are species found in woodland which are slow colonists, therefore requiring very long-term woodland cover in order to establish. Where such woodland predates 1600AD, and has been present continuously since that date, it is classed as Ancient (hence, of course, such plants being known as “Ancient Woodland Indicators”), conferring high status within the planning system as *Irreplaceable Habitat*.

Rose & O’Reilly<sup>1</sup> compiles geographically relevant lists of the vascular plants considered by botanists to indicate the presence of very long-established woodland. According to Rose & O’Reilly, 185 plants are AWIs. Sylvan adds one additional plant, Coralroot Bittercress *Cardamine bulbifera* (see below).

In its Inventory Handbook<sup>2</sup>, Natural England is at pains to avoid setting a threshold for indicator presence:

*The indicator species tool is inexact but simple: the more species recorded on the site, the more likely that site is to be ancient (the presence of [indicator species] does not prove a wood is ancient and neither does their absence prove recentness). However, there is no linear relationship between the precise degree of likelihood and the number of species present that can be routinely applied at site-level. There is no threshold species count above or below which the status of a wood becomes a certainty. For this reason, [botanical] information should be used as a supporting part of the wider investigation.*

In broad terms, we agree with this position. However, there are two important limitations of AWIs which should be understood:

1. The presence of a single or other very low number of specimens of a particular species should generally attract limited significance, as this could be the result of chance: by definition, chance occurrence does not require very long-term woodland cover.

<sup>1</sup> *The Wildflower Key*, Rose Dr F, O’Reilly C, Updated Edition, Warne 2006

<sup>2</sup> *Handbook for Updating the Ancient Woodland Inventory for England*, NECR248, SANSUM, P. & BANNISTER, N.R. 2018

2. Many AWI species can lie dormant during long periods of unfavourable land condition, including surviving below ground on the centennial scale in various vegetative forms. Bye Wood, at Winsford, Exmoor, provides a recent example: land that had been an open hilltop for centuries before landscape restoration work triggered the emergence of a stunning bluebell carpet<sup>3</sup>. Due to this dormant persistence, the second limitation of AWIs is that they cannot be used to indicate continuity of woodland: accordingly, they cannot assist in determining whether a given woodland meets that criterion for the ancient woodland descriptor to apply.

### ***Relative evidential weighting of different indicator species***

It is known that some AWIs are more reliable than others as indicators of very long-established woodland. Four examples illustrate the point:

- Herb Paris (*Paris quadrifolia*) has very high fidelity to woodland and is a very slow colonist. Its presence is a strong indicator for very long-established woodland.
- Oak Fern (*Gymnocarpus dryopteris*) has high fidelity to woodland and is readily destroyed by grazing. It is a slow-growing plant and so cannot re-establish easily once lost from a site. It is also a strong indicator.
- Bluebell (*Hyacinthoides non-scripta*) is well-known for colonising even relatively young woodland. It is, therefore, a weak indicator.
- Great Burnet-saxifrage (*Pimpinella major*) is a plant of several different habitats, of which woodland is only one, and disperses well by freely-set seed: it is also a weak indicator.

Because of this evidential variability of differing indicator species, assessment of indicator presence should be nuanced.

In 2020, Sylvan developed WISDOM as a means of recording the presence and distribution of AWIs found during woodland botanical surveys. A key element of the method is assignment of a relative evidential strength to each indicator, based on a three-tier scale: strong, moderate, weak. By approaching the subject in this way, it is possible (as well as desirable) to systematise the assessment of the indicator suite under consideration, in order to derive a balanced and informed understanding of the botanical evidence.

We define the three strength categories as follows:

- Strong           Woodland specialist & slow coloniser
- Moderate       Woodland specialist but more rapid coloniser, *or*  
Slower coloniser of more than one habitat type
- Weak            Generalist and/ or swift to colonise

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<sup>3</sup> <https://www.exmoor-nationalpark.gov.uk/about-us/press-room/press-room/news-2022/bye-wood-bluebells-hint-at-ancient-wooded-past> retrieved at 0900 on 15.06.22

The strength assignment has been derived by a three-step process:

1. We assigned S-M-W to each plant based on occurrences within the Southern Ancient Woodland Inventory, following a review of the updated local inventory reports of which that is comprised. Species with typically a reduced frequency of occurrence were given a stronger weighting, and those with a greater or high frequency of occurrence were given a weaker weighting.
2. We reviewed Rose & O'Reilly for all indicators which we had initially classified as *Strong* to check their fidelity to woodland. Where an indicator was noted as occurring in one or more alternative habitats, it was downgraded to *Moderate*.
3. Finally, we revisited the list of *Moderate* strength indicators, undertaking a further adjustment: a) if habitat is confined or largely confined to woodland, and where colonisation rate is slow, the plant was elevated to *Strong*; and b) if a plant's habitats are varied and/ or where its colonisation rates are moderate or fast, the plant was downgraded to *Weak*. The findings of this review are appended directly below.

Thus, the final classification of plants as S-M-W rests on a combination of reported occurrences in ancient woodland; habitat preferences; and colonisation strategy and success. In other words, the classification is botanically robust.

Based on this approach, Sylvan reports WISDOM scores as x.y.z, thereby deriving not only the total number of indicator species present, but also their relative strength as signposts towards woodland antiquity.

As noted already, to the 'official' list of 185 AWIs we have added one additional species, Coralroot Bittercress. With a known very strong fidelity to woodland and very slow colonisation rate (deadfall seed with low recruitment), this plant is a classic strong indicator species. Whilst it was omitted from the Rose & O'Reilly listing due to its rarity, in our view this merely reinforces its usefulness as an indicator.

### ***Interpretation of WISDOM scores***

The strong-moderate-weak classification of all 186 plants within WISDOM is 66.85.35. However, because AWIs have a significant element of local distinctiveness, no district, county, or regional AWI list contains all 186 species. By way of example, the Sussex AWI list contains 100 plants, with a WISDOM score of 38.51.11.

In general, species aggregation is a function of time, area and land management. Where both are of the same age, a small, semi-natural woodland may well contain greater AWI variety than a larger woodland under conifer plantation. However, factors such as an excessive deer population, or recent, heavily mechanised clear-felling, are also relevant, as is whether a conifer plantation is well-thinned, as opposed to forming a dense, closed canopy.

Whilst a large woodland under mosaic tree cover with no apparent deer management problem that has few AWIs would suggest a recent origin, it could merely be that heavily mechanised felling or excessive browsing damage had happened in the past, thereby reducing floristic diversity, where the woodland pre-dated the 1600AD threshold.

In similar fashion, a woodland with many indicator species could be a recent woodland planted adjacent to a former ancient woodland that acted as a colonisation source before being subsequently grubbed up.

Relative abundance is also an important consideration when assessing the significance of indicators. WISDOM includes the D-A-F-O-R scale recording system (Dominant, Abundant, Frequent, Occasional, Rare), which, like the method itself, can be applied at whole wood or compartment level. This permits a further layer of interpretation: in a large woodland, the presence of an indicator in a single location at a relative abundance of Rare, may suggest a chance occurrence of, therefore, low evidential weight (even if the indicator weighting is Strong).

To take the example of the *Ancient Woodland Inventory for West Sussex* (revised 2010), this contains the following statistics on AWIs:

*400 sites were surveyed for the revision, totalling 1,830 ha, with an average size of 4.58 ha. Of these, 43% had at least 10 ancient woodland indicator species recorded, with 4.5% of sites having 20 or more. 31% of sites had five or less indicator species recorded, with the average number of indicators per site overall being nine (minimum 1, maximum 32).*

Drawing together these threads, any temptation to set threshold scores should be resisted, as it is important to interpret botanical survey results within the context of the case-specific woodland to which they relate, as well as in light of other evidence streams (e.g. the site's cartographic record).

Having said this, we attach a degree of significance to the presence of 3 or more Strong indicators, and higher significance still where there are five or more present, in both cases where supported by, say >10 Moderate indicators, and >5 Weak indicators. Thus, a WISDOM score of around 5.10.5 is considered to be a very significant assemblage, albeit one to be treated with due caution for all of the reasons given.

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*Ecology & Woodland Botany*



## Assessment of 39 AW Indicator plants for relative strength from a starting base of "moderate"

Desk-based research information chiefly from Biological Records Centre, UK Centre for Ecology &amp; Hydrology; other sources consulted where required

Plant		Notes		Decision	Final classification		
Common	Scientific	Habitat/ colonisation	Indicator strength		Strong	Moderate	Weak
Allseed	Radiola linoides	Various alternative habitats. Deadfall seed but known to survive ingestion. Readily transported by birds on feathers	Alternative habitat + ready dispersal might suggest weak indicator, however plant is meagre and relatively rare	Leave as moderate		x	
Beech Fern	Phegopteris connectilis	Associated with old woods, occasionally in open upland areas. Far-creeping rhizomatous spread	Fidelity with old woods overcomes relative speed of colonisation	Move to strong	x		
Bitter-vetch	Lathyrus linifolius	Mainly grassland habitat, but in open woodlands. Far-creeping rhizomatous spread	Alternative preferred habitat + relatively rapid dispersal once established	Move to weak			x
Cornish Moneywort	Sibthorpia europaea	Strong preference for damp, shady places. Extensively creeping with rooting nodes but slow growing	Restricted distribution & known woodland specialist due to related microhabitat & relatively slow colony advancement	Leave as moderate		x	
Early Dog-violet	Viola reichenbachiana	Woodland specialist but also in hedgebanks. Where found apparently outside woodland, typically indicates woodland clearance. Spread is by above-ground runners and ant-carried seed dispersal	High fidelity to woodland and woodland-specific dispersal mechanism suggests elevated significance for landscape history	Move to strong	x		
Elongated Sedge	Carex elongata	Known associate of wet woodland, especially alder. Tussock-forming & with known slow rate of spread	Whilst it can occupy alternative habitats, its preference for wet woodland & slow rate of spread confer elevated significance	Move to strong	x		
Fingered Sedge	Carex digitata	Preference for open woodland. Seeds freely unless over-shaded. Known slow rate of spread	Classic AW indicator, requiring traditional management techniques for survival	Move to strong	x		
Giant Bellflower	Campanula latifolia	Woodland specialist but seeds freely and can also spread by rhizomes to become near invasive	Apparent rapid spread balances woodland specialist ecology	Leave as moderate		x	
Great Burnet-saxifrage	Pimpinella major	A plant of edges & margins with several alternative habitats. Freely sets seed, spreads well	Poor fidelity to woodland & relative ease of colonisation downgrade significance	Move to weak			x

Plant		Notes		Decision	Final classification		
Common	Scientific	Habitat/ colonisation	Indicator strength		Strong	Moderate	Weak
Greater Tussock Sedge	Carex paniculata	Wide range of habitats, preferably in the open. Slow rate of spread	Very poor fidelity to woodland to the extent almost of counting as a reverse indicator	Move to weak			x
Green Hellebore	Helleborus viridis	Good fidelity with woodland & known very slow rate of spread	Classic AW indicator: elevated significance for landscape history	Move to strong	x		
Heath Cudweed	Gnaphalium sylvaticum	Mainly heathland plant, but also found in open woodland and rides in woodland overplanted onto former heaths. Spread is by wind dispersal of plumed seeds	Very poor fidelity to woodland to the extent almost of counting as a reverse indicator coupled with wind-born seed dispersal downgrades significance	Move to weak			x
Ivy-leaved Bellflower	Wahlenbergia hederacea	Wet sites including heaths, heathy pastures, moors, open woodland and willow carr. Far-creeping with rooting at nodes	Poor fidelity to woodland & relative ease of colonisation downgrade significance	Move to weak			x
Lemon-scented Fern	Oreopteris limbosperma	Open woodland, ditch and stream-sides, damp heaths. No information found on rate of spread, but known colonist of man-made ditches	Alternative habitat + colonist of modern drainage features counts against elevated significance	Leave as moderate		x	
Lesser Hairy Brome	Bromopsis benekenii	Good, but not complete, fidelity with woodland though alternative habitats of hedgerow & scrub could relate to former woodland. Known slow rate of spread	Classic AW indicator: elevated significance for landscape history	Move to strong	x		
Lesser Pond Sedge	Carex acutiformis	Preferred habitats have little to do with woodland. Poor seed reproduction: chiefly rhizomatous	Difficult to understand why this plant has been identified as an AW indicator species	Move to weak			x
Marsh Violet	Viola palustris	Marsh conditions determinative of presence: woodland habitat is incidental. Far-creeping rhizomatous spread	Potentially indicates lack of disturbance but weak fidelity to woodland downgrades significance	Move to weak			x
Meadow Saffron	Colchicum autumnale	Alternative habitats include damp meadows & riverbanks, but principally found in clearings & rides within woodland. Toxic to livestock and typically destroyed where livestock are present. Establishes readily but slow rate of colony advancement	Challenging plant to classify, but overall its effects on livestock are such that its presence counts against a prior site history of grazing. Coupled with slow spread, this species has clear significance for landscape history	Move to strong	x		
Melancholy Thistle	Cirsium heterophyllum	Preferred non-woodland habitats but also found at woodland edges. Land-management by hay meadow is the key determinant. Dispersal by shortly creeping rhizomes & wind-borne seed	Poor fidelity to woodland & relative ease of colonisation downgrade significance	Move to weak			x



Plant		Notes		Decision	Final classification		
Common	Scientific	Habitat/ colonisation	Indicator strength		Strong	Moderate	Weak
Mountain or Nodding Melick	Melica nutans	A shade-lover with quite good fidelity to woodland though known in mountain areas outside woodland. Relatively slow coloniser	Where present in woodland, likely to indicate long-term woodland cover	Leave as moderate		x	
Narrow-leaved Bitter-cress	Cardamine impatiens	Wide range of habitats including woodland. Intolerant of competition but can spread rapidly in disturbed areas. Population levels fluctuate year to year and site to site.	Modest fidelity to woodland counts against elevated significance	Leave as moderate		x	
Narrow-leaved Everlasting-pea	Lathyrus sylvestris	A plant of edges & margins with several alternative habitats. Spread is by shortly-creeping rhizomes and deadfall seed	Where present in woodland, likely to indicate long-term woodland cover	Leave as moderate		x	
Oak Fern	Gymnocarpium dryopteris	Good fidelity to woodland. Readily destroyed by grazing. Far-creeping rhizomatous spread but slow growing	Preference for woodland and vulnerability to livestock coupled with slow growth rate elevate significance for landscape history	Move to strong	x		
Oxlip	Primula elatior	Strong fidelity to native broadleaved woodland. Known very slow colonist	Classic AW indicator: elevated significance for landscape history	Move to strong	x		
Purple Small-reed	Calamagrostis canescens	Woodland association restricted to carr, most often known as a marsh or fen-meadow species. Overall poor fidelity to woodland. Spread is by seed & far-creeping rhizomes	Poor fidelity to woodland & relative ease of colonisation downgrade significance	Move to weak			x
Sanicle	Sanicula europaea	Very good fidelity to woodland. Spread is by short-creeping rhizomes and seed dispersal. Research shows that this species is habitat-limited, not dispersal limited	Where present in woodland, likely to indicate long-term woodland cover, but equally is capable of ready establishment in secondary woodland	Leave as moderate		x	
Small-leaved Lime	Tilia cordata*	Known associate of very long-established woodland. Regen by seed very rare with most reproduction by phoenix regeneration or natural layering	Classic AW indicator: elevated significance for landscape history	Move to strong	x		
Soft-leaved Sedge	Carex montana	Poor fidelity to woodland, a plant of rough grassland & heathland. Found in woodland incidentally, usually on rides. Seed recruitment is modest, spreads also by shortly creeping rhizomes	Relatively slow colonist but not a woodland specialist plant hence significance for landscape history is limited	Move to weak			x
Spreading Bellflower	Campanula patula	A plant mainly of open woodland, readily out-competed in over-nutriented sites. Spread is by deadfall seed that requires disturbed ground to set, though is very long-lived pending suitable conditions	Classic AW indicator: elevated significance for landscape history	Move to strong	x		
Tunbridge Filmy-fern	Hymenophyllum tunbridgense	Strong association with Atlantic ravine woodland. Spreads by shortly creeping rhizomes	Classic AW indicator: elevated significance for landscape history	Move to strong	x		

Plant		Notes		Decision	Final classification		
Common	Scientific	Habitat/ colonisation	Indicator strength		Strong	Moderate	Weak
Wood Melick	Melica uniflora	Strong association with woodland edges & old hedgerows. Slow colonist due to shortly creeping rhizomatous spread with seed recruitment rare	Classic AW indicator: elevated significance for landscape history though can also denote very long established hedgerows	Move to strong	x		
Wood Millet	Milium effusum	Quite good fidelity to woodland but known to colonise open sites following woodland clearance and is found in known secondary woodland. Relatively slow spread	Characteristics prevent elevated significance	Leave as moderate		x	
Wood Speedwell	Veronica montana	Strong association with woodland & dense, old hedgerows. Spreads steadily by extensive creeping with rooting at nodes once established	Balanced indicator characteristics but widespread throughout the UK	Leave as moderate		x	
Wood Spurge	Euphorbia amygdaloides	Strong fidelity to very long established woodland due to rhizomatous spread. Also found in shaded hedgebanks. Can reappear from seedbank after understorey coppicing, but seed recruitment is rare	Classic AW indicator: elevated significance for landscape history though can also denote very long established hedgerows	Move to strong	x		
Wood Stitchwort	Stellaria nemorum	Strong association with damp woodland and woodland watercourses. Also in riparian woodland where shade is sufficient. Spread is by shortly creeping rhizomes or runners	Classic AW indicator: elevated significance for landscape history though can also denote very long established hedgerows	Move to strong	x		
Wood Vetch	Vicia sylvatica	A plant of margins and edges with only modest fidelity to woodland. Light-demanding so thrives under traditional woodland management, suffers under closed canopy. Dispersal is largely by deadfall seed though shortly creeping rhizomes aid spread	Occurrence in other habitats prevents elevated significance	Leave as moderate		x	
Yellow Archangel	Lamium galeobdolon	Strong association with very long established woodland and old hedgerows. Spreads by shortly creeping rhizomes with rooting at nodes, and by seeds. Seeds are tufted and attach to fur and feather, but seed recruitment is thought to be rare	Classic AW indicator: elevated significance for landscape history though can also denote very long established hedgerows	Move to strong	x		
Yellow Loosestrife*	Lysimachia vulgaris	A plant mainly associated with wet conditions including streamsides, fens, marshes, ponds & ditches. Found incidentally within woodland where conditions are suitable; only moderately shade tolerant. Spread is mainly by very long rhizomes to form large colonies	Attributes denote a poor indicator of long-established woodland	Move to weak			x

Plant		Notes		Decision	Final classification		
Common	Scientific	Habitat/ colonisation	Indicator strength		Strong	Moderate	Weak
Yellow Star-of-Bethlehem	Gagea lutea	A plant of damp, shady habitats including suitable woodland, but dispersal mechanism includes flood transport of bulbs, so readily arises as chance occurrence	Some indicator characteristics, but with limited fidelity to woodland	Leave as moderate		x	

## WEST WOOD: WISDOM REPORT (Woodland Indicator Strength, Distribution & Occurrence Matrix)

### Process

1. Select the correct county or region AWI list for the survey area => Berkshire
2. Applicable species automatically selected below
3. Listed species differentiated into strong, moderate and weak indicators
4. Undertake botanical survey
5. Format *Distribution* columns to reflect compartment mapping & record occurrences accordingly, including totals in col. P
6. Assess indicator occurrences and report significance based on the following factors:
  - a) Survey month: more indicators expected during M-J-J
  - b) Size of woodland/ reporting area: more indicators expected in larger areas
  - c) Topographic heterogeneity and presence of microclimates: more indicators expected with greater environmental variation

Common Name	Scientific Name	Indicator strength			Cpt
		Strong	Moderate	Weak	1
* Caution required if specimen found within woodland edge: risk of garden escape or seed transport from outside woodland		Woodland specialist + slow colonizer	Woodland specialist but known to colonize secondary woodland	Generalist and/ or swift colonizer	2.9.4
	<i>Count</i>	42	48	9	
Alder Buckthorn	Frangula alnus		x		
Aspen	Populus tremula*		x		
Barren Strawberry	Potentilla sterilis		x		
Bearded Couch	Elymus caninus		x		
Betony	Stachys officinalis		x		
Bilberry	Vaccinium myrtillus		x		
Bird's-nest Orchid	Neottia nidus-avis	x			
Bitter-vetch	Lathyrus linifolius			x	
Black Bryony	Tamus communis		x		
Black Currant	Ribes nigrum*		x		R
Bluebell	Hyacinthoides non-scripta			x	D
Broad-leaved Helleborine	Epipactis helleborine	x			
Bush Vetch	Vicia sepium		x		
Butcher's Broom	Ruscus aculeatus	x			
Climbing Corydalis	Ceratocarpus claviculata		x		
Columbine	Aquilegia vulgaris*	x			
Common Cow-wheat	Melampyrum pratense		x		
Coralroot Bittercress	Cardamine bulbifera	x			
Crab Apple	Malus sylvestris*		x		
Creeping Soft-grass	Holcus mollis		x		
Early Dog-violet	Viola reichenbachiana	x			
Early Purple Orchid	Orchis mascula	x			
Field Maple	Acer campestre*			x	R
Field-rose	Rosa arvensis		x		O
Golden-rod	Solidago virgaurea			x	
Goldilocks Buttercup	Ranunculus auricomus	x			
Great Fescue	Festuca gigantea		x		
Great Wood-rush	Luzula sylvatica		x		
Greater Butterfly-orchid	Platanthera chlorantha	x			
Green Hellebore	Helleborus viridis	x			
Guelder Rose	Viburnum opulus*		x		
Hairy Wood-rush	Luzula pilosa		x		

Common Name	Scientific Name	Indicator strength			Cpt
		Strong	Moderate	Weak	1
		Woodland specialist + slow colonizer	Woodland specialist but known to colonize secondary woodland	Generalist and/ or swift colonizer	2.9.4
* Caution required if specimen found within woodland edge: risk of garden escape or seed transport from outside woodland					
Hairy-brome	Bromopsis ramosa		x		
Hard Fern	Blechnum spicant		x		
Hard Shield-fern	Polystichum aculearum	x			
Hart's-tongue	Phyllitis scolopendrium*		x		
Herb-Paris	Paris quadrifolia	x			
Holly	Ilex aquifolium			x	A
Hornbeam	Carpinus betulus*		x		
Large Bitter-cress	Cardamine amara	x			
Lemon-scented Fern	Oreopteris limbosperma		x		
Lily-of-the-Valley	Convallaria majalis*	x			
Marsh Violet	Viola palustris			x	
Meadow Saffron	Colchicum autumnale	x			
Midland Hawthorn	Crataegus laevigata		x		
Moschatel	Adoxa moschatellina	x			
Narrow Buckler-fern	Dryopteris carthusiana		x		
Narrow-leaved Everlasting-pea	Lathyrus sylvestris		x		
Narrow-leaved Helleborine	Cephalanthera longifolia	x			
Narrow-leaved Lungwort	Pulmonaria longifolia	x			
Narrow-lipped Helleborine	Epipactis muelleri	x			
Nettle-leaved Bellflower	Campanula trachelium	x			
Opposite-leaved Golden-saxifrage	Chrysosplenium oppositifolium	x			R
Orpine	Sedum telephium	x			
Pale Sedge	Carex pallescens		x		
Pendulous Sedge	Carex pendula*		x		
Pignut	Conopodium majus		x		O
Polypody (all species)	Polypodium vulgare (sensu lato)	x			
Primrose*	Primula vulgaris		x		O
Ramsons	Allium ursinum	x			
Red Currant	Ribes rubrum*		x		O
Remote Sedge	Carex remota		x		O
Sanicle	Sanicula europaea		x		
Saw-wort	Serratula tinctoria	x			
Scaly Male-fern	Dryopteris affinis		x		
Sessile Oak	Quercus petraea*		x		
Slender St John's-wort	Hypericum pulchrum		x		
Small Teasel	Dipsacus pilosus	x			
Small-leaved Lime	Tilia cordata*	x			
Smooth-stalked Sedge	Carex laevigata	x			
Solomon's-seal	Polygonatum multiflorum	x			
Southern Wood-rush	Luzula forsteri	x			
Spurge-laurel	Daphne laureola	x			
Stinking Iris	Iris foetidissima		x		
Sweet Woodruff	Galium odoratum	x			
Thin Spiked Wood Sedge	Carex strigosa	x			
Three-nerved Sandwort	Moehringia trinervia		x		
Toothwort	Lathraea squamaria	x			
Tutsan	Hypericum androsaemum		x		
Violet Helleborine	Epipactis purpurata	x			
Water Avens	Geum rivale		x		
Wild Cherry	Prunus avium			x	
Wild Daffodil	Narcissus pseudonarcissus*	x			
Wild Service Tree	Sorbus torminalis	x			
Wood Anemone	Anemone nemorosa		x		

Common Name	Scientific Name	Indicator strength			Cpt
		Strong	Moderate	Weak	1
<i>* Caution required if specimen found within woodland edge: risk of garden escape or seed transport from outside woodland</i>		Woodland specialist + slow colonizer	Woodland specialist but known to colonize secondary woodland	Generalist and/ or swift colonizer	2.9.4
Wood Barley	Hordelymus europaeus	x			
Wood Club-rush	Scirpus sylvaticus	x			
Wood Horsetail	Equisetum sylvaticum			x	
Wood Meadow-grass	Poa nemoralis		x		
Wood Melick	Melica uniflora	x			
Wood Millet	Milium effusum		x		
Wood Small-reed	Calamagrostis epigejos		x		
Wood Speedwell	Veronica montana		x		A
Wood Spurge	Euphorbia amygdaloides	x			
Wood Vetch	Vicia sylvatica		x		
Wood-sedge	Carex sylvatica			x	O
Wood-sorrel	Oxalis acetosella		x		O
Yellow Archangel	Lamium galeobdolon	x			F
Yellow Pimpernel	Lysimachia nemorum		x		O

Natural England & Forestry Commission Standing Advice, published 14 January 2022:  
“Ancient woodland, ancient trees and veteran trees: advice for making planning decisions”

## Interpretation in light of relevant National Planning Policy

The Standing Advice of 14 January 2022 instructs decision-makers to apply NPPF 180c where development proposals have the potential to affect ancient woodland and/ or ancient and other veteran trees. It also instructs decision-makers to apply 180a in order to avoid significant harm to biodiversity. This note interprets the interaction of these two policies brought about by the requirement within the Standing Advice to consider them both.

### Step One

#### **If Irreplaceable Habitat trees and woodland (IHTW) are present, 180c is relevant**

1. 180c is engaged if the development proposal would cause loss or deterioration<sup>1</sup> of IHTW
  - a) *Is the loss or deterioration justified by “wholly exceptional reasons”<sup>2</sup>?*  
If **yes**, go to 1b  
If **no**, planning permission should be refused
  - b) *Does a “suitable compensation strategy exist”?*  
If **yes**, 180c does not prohibit the development as proposed  
If **no**, planning permission should be refused

### Step Two

#### **Additionally, if the development proposal would cause significant harm to biodiversity<sup>3</sup> apply 180a**

2. The Mitigation Hierarchy
  - a) *Can the harmful proposal (or harmful element of the proposal) be relocated to an alternative site (or location) with less harmful impacts?*  
If **yes**, the proposal or harmful element of the proposal should be relocated  
If **no**, go to 2b
  - b) *Can mitigation reduce the harm to below a level of significance?*  
If **yes**, 180a does not prohibit the development as proposed  
If **no**, compensation is required: go to 2c
  - c) *Can any harm that remains significant after mitigation, be suitably compensated for?<sup>4</sup>*  
If **yes**, 180a does not prohibit the development as proposed  
If **no**, planning permission should be refused

<sup>1</sup> Deterioration is an adverse effect residual after mitigation

<sup>2</sup> Clear excess of public benefit over harm, per NPPF Fn63

Natural England & Forestry Commission Standing Advice, 14 January 2022:  
“Ancient woodland, ancient trees and veteran trees: advice for making planning decisions”

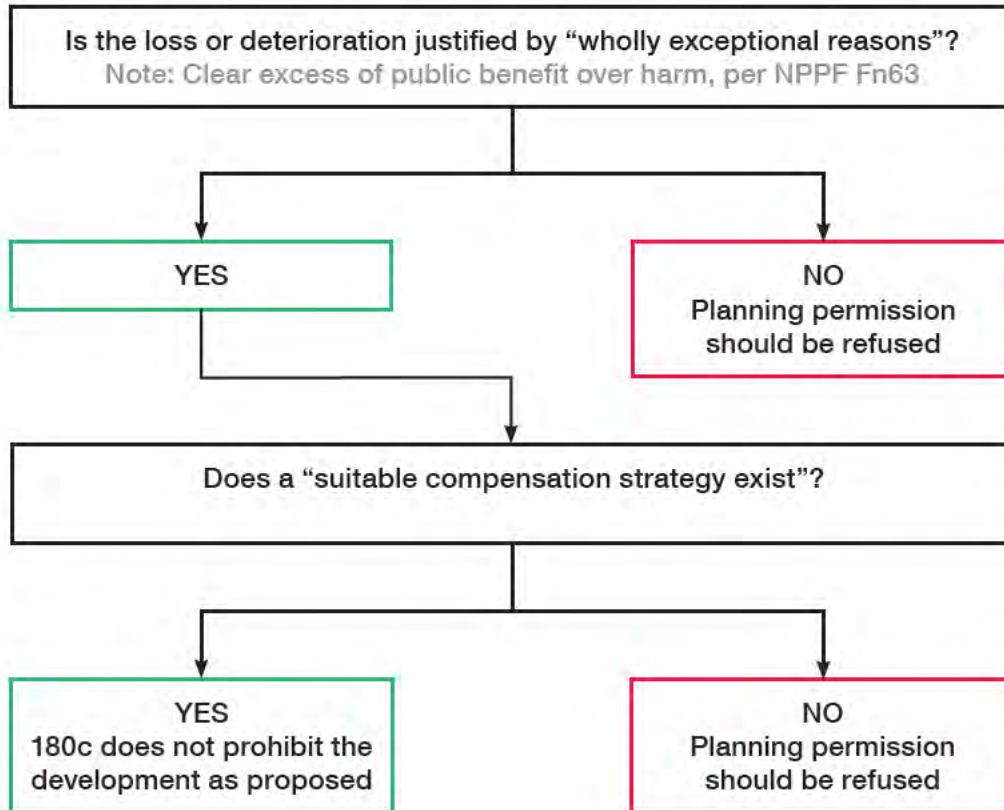
## Interpretation flowchart in light of relevant National Planning Policy

### Step One

If Irreplaceable Habitat trees and woodland (IHTW) are present, 180c is *relevant*

180c is *engaged* if the development proposal would cause "loss or deterioration" of IHTW.

Note: Deterioration is an adverse effect residual after mitigation



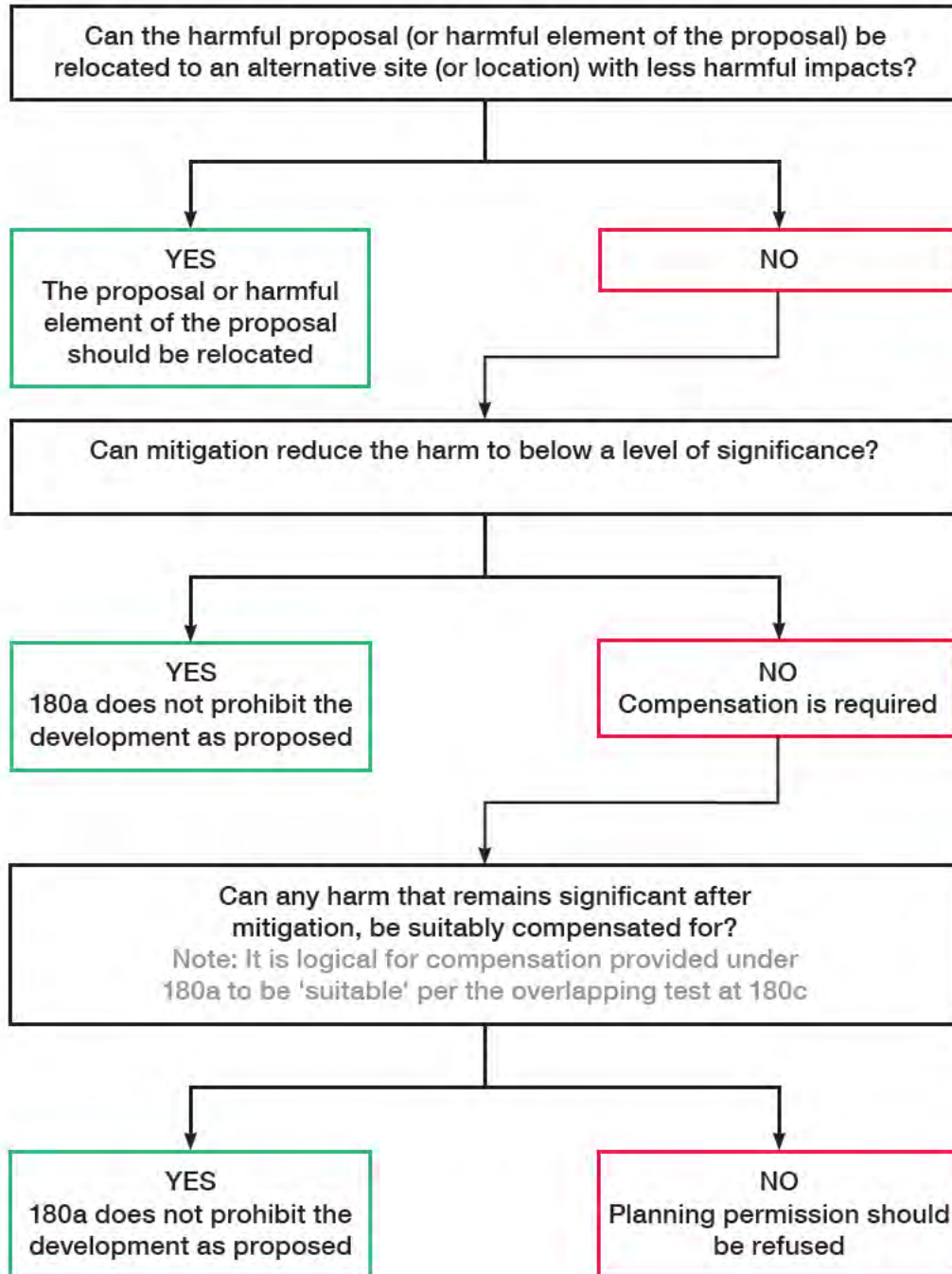


## Step Two

Additionally, if the development proposal would cause significant harm to biodiversity apply 180a

Note: Whether significant harm would occur to biodiversity requires ecological assessment

### The Mitigation Hierarchy




**West Berkshire Local Plan Review 2022-2039**
**Proposed Submission Representation Form**
**Ref:**
*(For official use only)*

Please complete online or return this form to:	<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>*

	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title (where relevant):		
Organisation (where relevant):		Pro Vision
Address* Please include postcode:		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		████████████████████
Telephone number:		01962 677044

\*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):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	
Policy:	Policy RSA16: Land North of Southend Road, Bradfield Southend (Site Ref: BRAD5)
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:*

## 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>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		
<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>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		

Please give reasons for your answer:

Please see accompanying letter for our full representations.

In summary, Rivar, in principle, support the allocation of the 'Land north of Southend Road, Bradfield Southend' for residential development. However, there are concerns with some of the criteria.

## 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:

#### 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 accompanying letter for our full representations.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

*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.*

<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
------------------	---------------------	-------------	-------------------

**Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.**

Our ref: 50981/GJ



Planning Policy  
West Berkshire Council  
Council Offices  
Market Street  
Newbury  
Berkshire  
RG14 5LD

Submitted via email: [planningpolicy@westberks.gov.uk](mailto:planningpolicy@westberks.gov.uk)



### Land north of Southend Road, Bradfield Southend

PRO VISION is instructed by Rivar Ltd to submit representations in response to the West Berkshire Council ('the Council') Regulation 19 Consultation on the proposed submission version of the Local Plan Review (LPR) to 2039, herein after referred to as the 'the Plan'.

### Background

Specifically, this representation is made in relation to our client's interest at Bradfield Southend and 'Land north of Southend Road'. We have previously submitted this site to the Council as part of the 'Call for Sites (Cfs)' exercise and is identified in the Council's Housing and Economic Land Availability Assessment (HELAA) as site ref: BRAD5. The whole site (c. 2.24ha) was promoted for residential development of approximately 30 dwellings and the HELAA concludes that the site is 'potentially deliverable in part'.

Policy SP15 of the Plan identifies part of the 'Land north of Southend Road, Bradfield Southend' as a site allocation for approximately 20 dwellings. A site-specific Policy is included at Policy RSA16.

Rivar, in principle, support the allocation of the 'Land north of Southend Road, Bradfield Southend' for residential development in Policies SP15 and RSA16. We also support the increase in the capacity of the site to around 20 dwellings which is considered more appropriate given the site context and anticipated developable area.

However, we have concerns regarding some of the specific criteria and wording in the site allocation Policy RSA16.

### Submissions on Policy RSA16



require information to be submitted with any planning application (i.e. criteria b. c. d. e. g. h.) or require consideration of other policies in the Development Plan.



For ease and clarity, these could be removed as the criteria are covered by other relevant policies in the Plan and by local validation list requirements. The criteria could instead focus on the key matters that will shape development of the site.

*Criteria f - A substantial tree belt will be provided along the northern boundary, linking to the existing tree belt to the north of the site, on the eastern boundary and with new planting on land at Stretton Close;*

Rivar support the principle of the criterion and to create a strong defensible boundary to this part of the village. [redacted] boundary (i.e. red line) as shown on the accompanying plan (pg 118 of the Plan) does [redacted] northern tree belt. As such, this could potentially lead to uncertainty for decision-makers.

[redacted] location boundary should be extended up to the existing northern tree belt to assist, particularly as it forms part of the objective of the policy and site allocation. See Site Location Plan appended to this letter for the suggested revised red line.

A Landscape Opportunities and Constraints Assessment prepared by Enderby Associates was submitted to the Council in June 2021 following discussions on the draft allocation – see enclosed. An extract of the landscape plan is included below to assist. This demonstrates how this criteria can be achieved with a substantial linked tree belt/landscape buffer to the north of the site allocation boundary.



Figure 1. Extract of Opportunities and Constraints Landscape Plan.

[redacted] pedestrian and cycle routes for the site will be provided and will be linked to existing routes;

Whilst Rivar support the principle of improving pedestrian and cycling connectivity with the village, it is not clear what the Council is trying to achieve with this criteria in this case. This criteria fails to consider the site and village [redacted] modest proposed scale and rural character of development.

Accordingly, the criteria should be re-worded to 'improved pedestrian and cycle access will be provided including connections to local routes where feasible'.

## Conclusion

The site is suitable, available, and achievable for around 20 new homes, in a timely and sustainable manner. It is considered that the site is a developable option for the following reasons:

- a) There is a need to identify a range of scale of sites for housing in West Berkshire to meet the indicative housing requirements during the plan period. Due to its scale, the Site can be built out quickly in accordance with paragraph 69 of the Framework.

[REDACTED] identified as a 'service village' in the settlement hierarchy and, therefore, a suitable location for additional growth.

- c) The site would adjoin the existing built-up area and is considered an appropriate extension to Bradfield Southend and in-keeping with the direction of growth in accordance with recently approved developments.

- d) Residential development in this location would be in keeping with the surrounding area and would not unduly compromise the purposes of the AONB.

- e) The provision of additional tree planting provides an opportunity to provide a robust boundary to the settlement and provide landscape and ecological enhancements.

- f) Further opportunity to deliver new areas of green infrastructure and the creation of areas of green amenity/open space, including biodiversity benefits.

- g) The site is located in Flood Zone 1 (i.e. low probability of flooding) and a sustainable drainage system would be provided.

- h) The development of the site will assist in supporting local facilities and other business services in the village through an uplift in population and their associated increase in local expenditure.

- i) The site is in close proximity to key local facilities and services available. Future residents would therefore benefit from these existing services.

- j) A vehicular access can be delivered along the existing commercial roadway via Southend Road.

- k) The scale of development proposed is capable of delivering housing in line with local objectives, such as need for affordable housing.

[REDACTED] therefore it is likely that there are no significant constraints (such as contamination) which would prevent the development of the site on viability grounds.

- m) The site is available for a residential development immediately. The development land is within single ownership and Rivar has agreed to purchase the land. Rivar enjoys a reputation for building high quality residential developments at a range of locations throughout central southern England and is based in Newbury. In recent years, Rivar has delivered a range of sized housing schemes across West Berkshire.

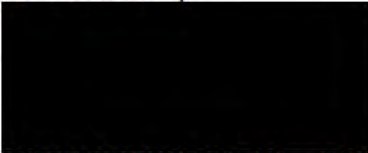
- n) Furthermore, as far as we are aware, there are no factors which would prevent this site coming forward for residential development.



Rivar would be willing to enter into a Statement of Common Ground with the Council to support the site's allocation at the examination stage. The proposed amendments to the criteria could be dealt with through minor modifications.

We trust this Statement clearly sets out our client's position at this stage and respectfully request that the above is given due consideration as part of the West Berkshire Local Plan Review.

Yours faithfully

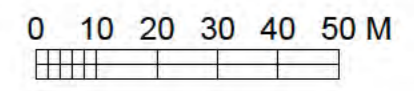


**GARETH JOHNS BSc (Hons) MSc MRTPI**  
Associate Director



REV	DATE	AMENDMENTS	DRAWN	CHECKED
#	29.03.17		JW	XX
A	03.02.21	Redline adjusted	CF	

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CLIENT:  
**Rivar Ltd**

PROJECT:  
**Bradfield Southend**

DRAWING:  
**Site Location Plan**

SCALE: **1:1250@ A3 DWG NO: 2287/P00**

DATE: **March '17** REV: **A**

**PRO VISION**  
 PLANNING | ARCHITECTURE | URBAN DESIGN  
[www.pro-vision.co.uk](http://www.pro-vision.co.uk)

Ref: CE/487/01

14 June 2021

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**WEST BERKSHIRE SITE RSA 24 – LAND NORTH OF SOUTHEND ROAD, BRADFIELD SOUTHEND**

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**ASSESSMENT OF LANDSCAPE CONSTRAINTS & OPPORTUNITIES**

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1.1 This note sets out the findings of a preliminary landscape and visual assessment of the proposed residential allocation site (ref. BRAD5) which is the subject of Policy RSA 25- 'Land north of Southend Road, Bradfield Southend'. The policy indicates that the final development capacity of the site is to be informed by landscape and visual assessment. This work is to be used to inform consideration of the site's potential capacity in discussion with West Berkshire Council. The proposed policy is reproduced below:

**Policy RSA 25****Land North of Southend Road, Bradfield Southend (Site Ref: BRAD5)**

The site, as identified on the indicative map, is proposed to be allocated for residential development.

The site has a developable area of approximately 0.8ha, taking into account the outcomes of the Landscape Capacity Assessment (2014). The developable area of the site could accommodate up to 13 dwellings.

Detailed policy criteria will be developed to highlight specific mitigation measures and infrastructure requirements that will include amongst others:

- The provision of a substantial tree belt along the northern boundary, linking to the existing tree belt on the eastern boundary and with new tree planting in site RSA24
- Access from South End Road, via the small industrial estate, subject to an assessment of the impact on existing trees
- A full detailed landscape and visual impact assessment that will inform the final capacity of the site



Policy RSA 25 – West Berkshire Local Plan review – Emerging Draft

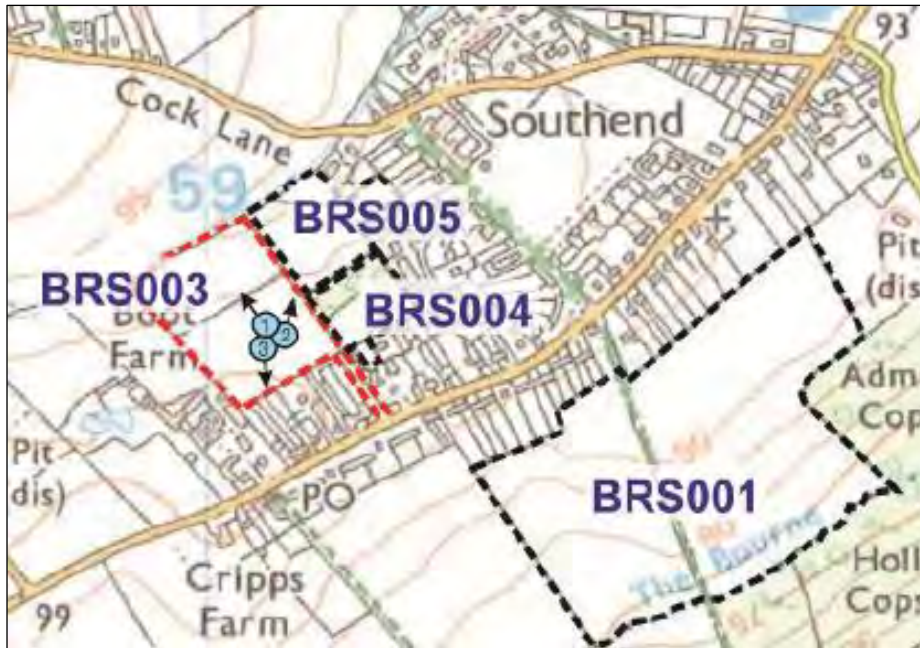
- 1.2 The village and the site lie within the North Wessex Downs AONB.
- 1.3 **The Council's Landscape Capacity Assessment**<sup>1</sup> notes that the village lies within Landscape Character Area 8A – Hermitage Wooded Commons, defined in the AONB Landscape Character Assessment. Four sites were examined. The study examined the landscape and visual context of the village noting that:
  - The settlement extends along a low ridge and is largely linear in form
  - The shallow valley defines the northern edge of the village
  - The village has few open views
  - Local tree and hedgerow cover help to contain the village.
- 1.4 It noted that '*Minor extensions at each end of South End Road might be achieved without harm to the AONB provided that an opportunity was sought to enhance the settlement edge and the village did not expand beyond any well-defined landscape features.*'

---

<sup>1</sup> Landscape Capacity Assessment of Potential Housing Sites within and adjacent to the North Wessex Downs AONB in West Berkshire – Final Phase 2 Report: Bradfield Southend (2014)



- 1.5 The site forms part of site ref. BRS003 identified in the study which extended over two fields, as shown on the plan extract below.



Sites assessed in Capacity Assessment

- 1.6 The site description notes:

*'The site is divided into two sections by a tree belt which runs east / west across the slope. There are also strong tree belts containing the site to the east and north, with a partial hedgerow to the western boundary. The southern field is currently unused except for storage of a disused vehicle, and areas of scrub are emerging within the grassland. There are glimpsed views north west across the valley, through the tree belts, otherwise both sites are well contained and with little intervisibility.'*

- 1.7 The study concluded with the following recommendation which has informed the proposed allocation:



#### **Recommendation**

Part of the site could be pursued further as a potential housing site subject to adjacent site BRS004 being developed. Development should be adjacent to the settlement edge as indicated in Figure BRS003.2, contained on the edge of the low ridge on which the village sits, and not extend down the valley side. Development of the recommended area would result in some further 'backland' development but the settlement pattern would be generally retained. Development would be subject to:

- The provision of a substantial tree belt along the northern boundary, linking to the existing tree belt on the eastern boundary and with new tree planting in BRS004 beyond
- The preferred access is from South End Road, via the small industrial estate, subject to an assessment of the impact on existing trees
- A full detailed landscape and visual impact assessment will be required to inform the final capacity of the site

#### Site assessment

- 1.8 The site is bounded to the south by gardens associated with residential development and to the north by a mature hedge/tree line, beyond which the land falls away to a small valley before rising beyond to Cock Lane. To the east, beyond an area of scrub and mature trees, lays residential allocation site RSA 24 (site ref. BRS004 in the Capacity Study) which now has permission for 11 houses. The western boundary is formed by a partial hedgerow beyond which lies a pasture field.
- 1.9 The site is broadly level with a slight fall to the northern boundary of the field from the central part. The land falls more steeply beyond this boundary to the floor of the valley to the north. Areas of scrub and bramble form groups within and along the southern periphery of the site.
- 1.10 The site is visually discreet, with screening provided by vegetation (including TPO trees) along the eastern side and also by the mature hedgerow and trees along the field boundary north of the site. Public views towards the site are very limited, comprising very occasional glimpses from a section of Cock Lane, which is bounded by a dense, almost continuous hedge located above the northern side of the valley. In these glimpses, the mature vegetation along the northern field boundary provides significant screening of the site and the settlement edge beyond which is discreet.
- 1.11 The proposed site allocation defines a northern boundary to the development area consistent with a south westward projection of the northern boundary of site RSA 24, where the policy plan shows there to be a belt of vegetation; there is no existing feature along this proposed boundary. **The site policy requires 'a substantial tree belt' to be provided along the southern side of this boundary, 'linking to the existing tree belt on the eastern boundary and new tree planting in site RSA 24'.**
- 1.12 The approved development layout for site RSA 24 (plan extract provided for reference below) shows trees retained along the western boundary and a linear group of trees along the western



part of the northern boundary, with hedge planting along the eastern part of the boundary with development extending up to this boundary.



Site layout plan for adjoining site RSA 24

### Constraints and Opportunities

- 1.13 It is evident that the tree belt identified on the RSA 24 allocation plan is not a wide continuous belt as indicated on **that plan; the precedent for the continuation of this 'belt' across the field** within the site RSA 25 is less apparent.
- 1.14 The alignment of the site boundary appears also to be driven by a desire to ensure that an irregular edge to the settlement is avoided. There appears to be no sound reason why the northern landscape buffer shown on the draft allocation plan may not be provided on the remaining part of the field to the north; there are no constraints in this area. This would still ensure connectivity of green infrastructure and tree cover connecting with these elements on and within the adjoining site, avoiding a narrow strip of pasture remaining in the northern part of the field, and planting would tie in with the existing mature field boundary hedge/tree line



on the northern boundary of the field. It would also reflect the fact that development has already been approved up to the northern boundary of the adjoining RSA 24 site and still fulfil the requirement for the physical and visual containment of the proposed site.

- 1.15 The Constraints and Opportunities Plan attached at the rear of this Note summarises the analysis of the site and the potential development capacity and approach.
- 1.16 **Rather than reduce the developable area with the provision of a 'substantial tree belt' within the allocation, an alternative approach is to provide this within the remainder of the field to the north - it will serve the same purposes, use an area of 'left over' field that would be of limited productive value, and integrate with the field boundary hedgerow/tree line creating connected green infrastructure. This area has the potential for the creation of an area of community woodland or orchard (or perhaps a combination) which could be controlled and managed by a residents' management company. This would provide a positive use and an area of accessible green space and define a defensible long-term edge to this part of the settlement.**
- 1.17 The eastern boundary is defined by mature trees (most of which appear to be covered by TPO) with their protection areas extending into the site. This will have implications for the alignment of the site access. Two other young mature trees were noted which could be worthy of retention (subject to arboricultural survey) as part of a green edge along this boundary creating a distinctive approach and boundary to the site and some separation from the development in the adjoining RSA 24 site.
- 1.18 **Development within the potential development area identified on the Constraints and Opportunities Plan (Area A- approx. 1.08ha.) would have no material effect on the special qualities of the AONB compared to the allocation proposal.**





- (A) Potential development area**  
Open rough pasture with no notable landscape/visual constraints to residential development (assume overhead electricity line may be diverted/buried)
- (B) Site access**
- (C) Potential landscape buffer**  
Remainder of field outside proposed allocation with potential to provide landscape buffer (such as community woodland/orchard under control of management company) as an alternative to planting within northern boundary of allocation.
- (D) Existing mature tree belt and hedgerow**  
Strong landscape feature, that provides physical and visual containment of the site.
- (E) Western boundary**  
Discontinuous hedgerow provides poor landscape boundary between site and countryside to west. Allow space (5m) to reinforce with planting and provide access for management outside of property boundaries to safeguard integrity of feature.
- (F) Mature tree belt**  
Belt of mature trees (some subject of TPO) and scrub on/adjoining boundary and forms strong landscape feature along boundary with adjoining development site and provides connectivity with potential northern landscape buffer. Tree RPAs extend into eastern edge of site. Two semi-mature trees noted within scrub that (subject to survey) and could be retained to contribute to character of site entrance and green infrastructure link to northern buffer.
- (G) Hedge/tree belt**  
Mature oak trees with sparse hedge below forming boundary between site and adjoining pasture field (through which there are views towards part of the site from a property to the east)
- (H) Southern boundary**  
Boundary formed by mix of fences, hedges, and scrub. Most adjoining properties set back from boundary and views into site are limited by garden and vegetation on boundary within site (generally of low quality). Partial view from rear of one property (White Oaks) with conservatory.
- (I) Tree group**  
Group of semi-mature trees (species not identified) which appear to be of poor-quality but which contribute to some screening in summer views from detached properties at north end of Wellington Gardens (off-site ash trees also contribute to screening but are likely to be lost to disease).

Filtered views/glimpses into site from residential properties

B	06/21	Minor amendment to notes
A	06/21	Minor amendment to notes
Rev.	Date	Note

**Enderby Associates**  
CHARTERED LANDSCAPE ARCHITECTS  
 ENVIRONMENTAL PLANNING CONSULTANTS  
 The Smithy  
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**Project:** Bradfield Southend

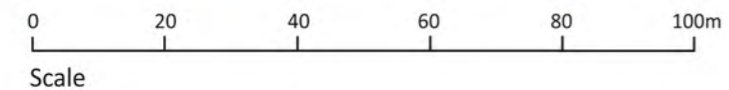
**Drawing title:** Constraints and Opportunities

**Scale:** As shown **Date:** May 21

**Drawing no.:** 487/Sk01 **Rev.:** B

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Google Earth



100 m

Our ref: 51365/GJ



Planning Policy  
West Berkshire Council  
Council Offices  
Market Street  
Newbury  
Berkshire  
RG14 5LD

Submitted via email: [planningpolicy@westberks.gov.uk](mailto:planningpolicy@westberks.gov.uk)



Dear Sir/Madam

**Local Plan Review – Proposed Submission (January 2023)**


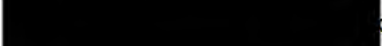

Pro Vision is instructed by Rivar Ltd. to submit representations in response to the West Berkshire Council ('the Council') Regulation 19 Consultation on the proposed submission version of the Local Plan Review (LPR) to 2039, herein after referred to as the 'the Plan'.

This representation is not made in relation to any particular site, albeit related generally to our client's land interests at various locations within the district, and in the interests of contributing to a sound plan.

#### **Submissions on Policy DM17 - Rural Exception Housing**

The Policy sets out the requirements to deliver rural exception sites adjacent to rural settlements in accordance with paragraph 78 of the Framework'.

Rivar, in principle, support the inclusion of Policy DM17. Indeed, the Housing Needs Assessment Update (dated, July 2022) prepared by Icenl (on behalf of the Council) demonstrates that within the North Wessex Downs AONB area (a large proportion of the rural area in West Berkshire) that there is a significant affordable housing need of 152 affordable and social rented homes per annum, and a further 160 shared ownership homes. This equates to 46% of the overall need for affordable and social rented homes and 43% of the shared ownership need in the district.

However, we have concerns that the requirement for all schemes to provide a local housing needs survey is onerous and will severely restrict the delivery of sites through this policy, particularly as the Council do not incentivise the Parishes to have an up to date Housing Needs Survey. The lack of affordable housing provision will determine who  contrary to the overarching aim of improving affordability as a key objective of the  to maximise the provision of affordable housing (paragraph 4.74 of the Housing , therefore, this strict requirement has the potential to restrict supply where it is needed.



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The Policy should allow for greater flexibility to help demonstrate a local need, including a range of evidence such as the Council's Housing Register, past delivery of affordable housing, affordability and any other available evidence base prepared by the Council and/or a Parish etc., as well as any Housing Needs Survey.

For the Policy to be sound it is recommended that the following modifications are made:

#### **Policy DM17**

*[Redacted]* housing schemes will be supported adjacent to rural settlements to meet a local need. ~~Such schemes will be expected to be in response to a need identified through a local needs survey~~ It will need to be demonstrated that the scheme meets an identified local need for a parish or group of parishes. The affordable housing within the scheme will be required to remain affordable in perpetuity.

*[The supporting text can then set out the range of evidence that the Council will accept to demonstrate an identified local need as discussed above]*

#### **Submissions on Policy DM19 - Specialised Housing**

The Housing Needs Assessment Update (dated, July 2022) prepared by Icenii (on behalf of the Council) demonstrates a projected growth in those aged 65 and over of 13,500 persons over the plan period, representing 42% growth in West Berkshire. This forms part of the national picture which is described as "critical" in national policy guidance (Planning Policy Guidance Paragraph 001 Reference ID: 63-001-20190626).

Evidence locally and nationally, therefore, demonstrates that there is a significant need for housing for older persons (i.e. specialist housing units and care/nursing beds) in the district during the plan period. In which case, Policy DM19 is not sufficiently positive to ensure that this problem is addressed. We have concerns that the policy requires evidence that each individual scheme meets a local need for that specific housing product to be supported by the Council. The Council's approach is clearly flawed as the evidence base already demonstrates that there is a significant need for specialist housing for older persons in the district during the plan period. The Policy therefore adds another onerous and unnecessary step to the process that may impede delivery of schemes for older persons accommodation.

With the above in mind, it is considered that the Council needs to remove the requirement for evidence of a local need. The Policy should positively encourage development for specialist accommodation for older persons in areas with good transport and local facilities and services. This was the approach supported by the West Berkshire Local Plan and Policy H13 – see paragraphs 241-242 of the Inspector's report

The Policy explains that development will be supported where the location is appropriate in terms of design, layout and access to facilities and public transport. However, Policy SP1 of the LPR generally provides a presumption in favour of development within the settlement boundaries (and seeks to restrict development beyond).

The Council has not provided any evidence that this approach will deliver the significant need for housing for older persons during the plan period. The implications of this are important. On the face of it, it seems unlikely that the significant need can be met solely within settlement boundaries or via the limited site allocations. The remedy is to

provide clarification in the Policy that schemes that meet the above criteria will be supported both within and outside settlement boundaries. A positively worded policy which encourages delivery in sustainable locations will help bring forward specialised housing for older persons across the district.

For the Policy to be sound it is recommended that the following changes are made:

**Policy DM19**

*... first forms of housing designed to meet the needs of those with identified support or care needs will be supported where:*

*~~a. Housing meets a proven locally identified need in the District for the specific housing product being proposed; and b. The location within or outside of a settlement boundary is appropriate, in terms of design, layout, and accessibility of facilities, services and public transport.~~*

...

**Submissions on Policy DM24 - Conversion of Existing Redundant or Disused Buildings in the Countryside to Residential Use**

The Policy

It is considered that some of the criteria (e.g heritage c., amenity e., ecology i.) in the Policy simply require consideration of other Development Plan policies. Therefore, for clarity and ease these should be removed as they are unnecessary duplication. There also appears to be no justification why some matters are included and others not. For example, there is no criteria/cross reference to policies on highway safety or drainage. Alternatively, the Policy could simply state that any proposal should comply with other relevant policies within the Development Plan.

*f. It has no adverse impact on rural character*

This criteria is not justified and does not accord with national policy and paragraph 80 c which simply refers to an enhancement of the immediate setting. It cannot be sensibly applied that this is a 'zero harm' policy/criteria - indeed, if it were, any conversion of agricultural buildings to residential use would infringe it. The criteria should be re-worded to: '*seeks to respect the prevailing rural character of the area*'. This should advocate a balanced planning judgement.

*... is suitable in landscape terms for the use proposed*

... required by national policy and is essentially 'double counting' as any harm to the rural character of the area/landscape from the proposal (including its access) would also be considered under criteria f (see comments above). It is not clear what the Council is trying to achieve with this criteria.

*h. The creation of the residential curtilage would not be visually intrusive, have a harmful effect on the rural character of the site, or its setting in the wider landscape; and*

Similar comments to criteria f and g. The impact of the curtilage would be considered under criteria f and it cannot sensibly be applied that this is a 'zero harm' policy/criteria. All proposed changes from agriculture to residential

use would involve the need to provide amenity space (e.g. garden land) as part of the residential curtilage which would by definition include a degree of harm to the character of the area/landscape.

*There will be a presumption against permission being granted for replacement building(s) pursuant to a change to a residential use established under this Policy.*

This statement is contrary to Section 38(6) of the Planning and Compulsory Purchase Act 2004. This confirms that there may be other material considerations that indicate that a proposal should be determined other than in accordance with the Development Plan. The statement is also vague and ambiguous.

[REDACTED] are concerned that a proposal that accords with this conversion Policy could [REDACTED] 'back' position to support new build development in the countryside. However, there [REDACTED] a new build/replacement proposal, in comparison to a conversion scheme, will have significant benefits and be considered preferable.

[REDACTED] As a result, it is considered that rather than seeking to restrict development the Policy could be positively worded to allow new build/replacement proposals - where it has been proven that the conversion of the existing building(s) would comply with the criteria of Policy DM24 - that deliver an improved and enhanced development.

This approach follows the Government's agenda of promoting and increasing high quality design and paragraph 8 of the Framework that seeks opportunities to secure 'net gains' across the different sustainability objectives, including environmental. The North Wessex Downs AONB Management Plan also supports achieving 'net gains' in landscape character and natural beauty.

#### Supporting Text

Paragraph 11.50 notes that the Policy applies to all structurally sound buildings, including traditional farmsteads or buildings. The paragraph however goes on to add that the Policy is not intended to encourage the retention of buildings that currently have adverse visual/landscape impact such as large agricultural sheds.

As such, whilst the paragraph notes that the Policy applies to all structurally sound buildings, the Council appear to be implying that traditional and historic farm buildings are more likely to be considered acceptable for conversion under this Policy than more 'modern' large agricultural sheds. The Council's approach is unsound as it is not justified and national Policy does not make any such distinction or assume that all 'large agricultural sheds' are not structurally sound or inappropriate for conversion to residential use. This text therefore may influence the decision-makers assessment of these types of buildings when considered against the criteria in the Policy.

It is considered that this last sentence in the supporting text should be removed as each case should be considered [REDACTED] the appropriate evidence e.g structural survey.

[REDACTED] Policy DM24

Accordingly, the Council's approach to conversion of existing buildings in the countryside to residential use does [REDACTED] g tests for soundness: justified or consistent with national Policy and paragraph 80 c. The Policy is not clearly written with issues muddled between criteria and repetition of other policies that may only be relevant in some circumstances. As such, the Policy as currently worded is likely to lead to uncertainty in decision-making.

For the Policy to be sound it is recommended that the following changes are made:

**Policy DM24**

**Conversion of Existing Redundant or Disused Buildings in the Countryside to Residential Use**

*The conversion of existing redundant or disused buildings in the countryside to residential use will be supported provided that the following criteria are satisfied:*

*[redacted] building that is structurally sound and capable of conversion without substantial [redacted] ation;*

*[redacted] the building is genuinely redundant or disused;*

*~~c. Any internal and external changes do not harm the significance of a heritage asset in accordance with Policies SP9 and DM12;~~*

*~~d. The [redacted] seeks and retains the character, fabric and distinctive features of the building and uses matching materials where those materials are an essential part of the character of the building and locality;~~*

*~~e. The site and location is suitable for residential use and gives a satisfactory level of amenity for occupants;~~*

*~~f. It has no adverse impact on [redacted] seeks to respect the prevailing rural character of the area;~~*

*~~g. The existing vehicular access is suitable in landscape terms for the use proposed;~~*

*~~h. The creation of the residential curtilage would not be visually intrusive, have a harmful effect on the rural character of the site, or its setting in the wider landscape; and~~*

*~~i. The impact on any protected species is assessed and appropriate avoidance and mitigation measures are implemented to ensure any protected species are not adversely affected.~~*

*[new criteria] accords with other relevant policies in the Development Plan (e.g on heritage, amenity and ecology)*

*~~There will be a presumption against permission being granted for replacement building(s) pursuant to a change to a residential use established under this Policy.~~*

*There is a presumption in favour of the conversion of existing buildings in the countryside to residential use in accordance with the above criteria unless there are clear benefits for doing otherwise (e.g a new build/replacement proposal) when considered against other policies in the Plan. For example, this may include [but not limited to]: enhancement to the setting of heritage assets and the landscape/character of the area; energy efficiency gains; remediation of contamination or reducing flood risk.*

We trust this Statement clearly sets out our client’s position at this stage and respectfully request that the above is given due consideration as part of the West Berkshire Local Plan Review.

Yours faithfully

[Redacted signature]

GARETH JOHNS BSc (Hons) MSc MRTPI  
Associate Director

[Redacted contact information]


**West Berkshire Local Plan Review 2022-2039**
**Proposed Submission Representation Form**
**Ref:**
*(For official use only)*

Please complete online or return this form to:	<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>*

	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title (where relevant):		
Organisation (where relevant):		Pro Vision
Address* Please include postcode:		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		████████████████████
Telephone number:		01962 677044

\*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):	Pro Vision obo Rivar Ltd.
---	---------------------------

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

Section/paragraph:	
Policy:	Policy DM17: Rural Exception Housing
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:*



## 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		X
<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
<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		X
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying letter for our full representations.

## 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:

#### 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 accompanying letter for our full representations.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

*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.*

<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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**Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.**


**West Berkshire Local Plan Review 2022-2039**
**Proposed Submission Representation Form**
**Ref:**
*(For official use only)*

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	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title (where relevant):		
Organisation (where relevant):		Pro Vision
Address* Please include postcode:		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		████████████████████
Telephone number:		01962 677044

\*Mandatory field

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Your name or organisation (and client if you are an agent):	Pro Vision obo Rivar Ltd.
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**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	
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Appendix:	
Policies Map:	
Other:	

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

Yes

No

*Please give reasons for your answer:*

## 2. Soundness

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<b>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
<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		X
<b>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying letter for our full representations.

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Please give reasons for your answer:

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*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 accompanying letter for our full representations.

#### 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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

*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.*

<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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**Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.**


**West Berkshire Local Plan Review 2022-2039**
**Proposed Submission Representation Form**
**Ref:**
*(For official use only)*

Please complete online or return this form to:	<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>*

	Your details	Agent's details (if applicable)
Title:		Mr
First Name:*		Gareth
Last Name:*		Johns
Job title (where relevant):		
Organisation (where relevant):		Pro Vision
Address* Please include postcode:		The Lodge, Highcroft Road, Winchester, SO22 5GU
Email address:*		██████████
Telephone number:		01962 677044

\*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):	Pro Vision obo Rivar Ltd.
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**Please indicate which part of the Local Plan Review this representation relates to:**

Section/paragraph:	Paragraph 11.50
Policy:	Policy DM24: Conversion of Existing Redundant or Disused Buildings in the Countryside to Residential Use
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:*



## 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>Justified:</b> the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		X
<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>Consistent with national policy:</b> the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see accompanying letter for our full representations.

## 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:

**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 accompanying letter for our full representations.

**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:*

*We wish to appear at the examination to present our evidence and technical information to support these representations*

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*Tick*

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<b>Signature</b>	<b>Gareth Johns</b>	<b>Date</b>	<b>02/03/2023</b>
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accessible and adaptable dwellings. This is justified on demographic evidence. However, criterion 4 of the policy requires at least 3% of market housing to be designed for wheelchair accessible dwellings. This is inconsistent with Planning Practice Guidance in respect of the optional technical standards for housing; this states that policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. MM29 therefore deletes the requirement. It also clarifies the size of site to which accessible and adaptable dwellings will be sought and removes the inflexible requirement that the mix of housing should be "in general conformity with" the Council's latest evidence on housing mix, replacing it with "should have regard to". This is necessary because the Council's evidence on housing mix is not in itself an examined development plan document.

239. Criterion 5 of Policy H11 requires 1 and 2 bed market housing dwellings, and all affordable dwellings, to be designed to meet the Nationally Described Space Standards. There is evidence that a substantial proportion of small properties within the market sector fall below the nationally described space standards (document HOU03.6). The policy aims to improve the space available in new dwellings because the smallest properties are most likely to be fully occupied and may also be rented privately to more vulnerable households. The policy represents a reasonable approach to ensure that small and affordable dwellings offer adequate space standards.

#### *Custom build and self-build*

240. Policy H12 deals with this subject. The evidence in document IC02A shows that permissions for these dwellings were granted at a steady rate of between 38 and 79 dwellings between April 2016 and October 2019. This was consistently lower than the number of entries on the Self-build and Custom-build Register, but some of these may have been aspirational because there are no entry conditions or registration fee. Policy H12 expressly supports such projects; it seeks 3% of developable plots to be made available for this purpose on strategic allocations; and it refers to their provision, where appropriate, through neighbourhood plans. There is no reason to conclude that the policy will not be effective, but its effectiveness can be monitored and future policy adjustments can be considered if they prove necessary.

#### *Specialist accommodation for older people*

241. The 2014 SHMA (documents HOU05 & HOU05.1) recognised the need to provide specialist housing for older people. A key driver of change in the housing market up to 2031 is expected to be the growth in the population of older persons, with strong growth in the oldest age groups (85 and over).

242. Despite the evidence, Policy H13: Specialist Housing for Older People is not positive enough to enable the issue to be addressed effectively. It states that the Council will seek such housing as a proportion of dwellings on major development sites, but qualifies this by saying that this will be subject to identified local need, and otherwise states that the Council will identify locations through its housing strategy. Given the evidence of need for both housing generally and for specialist accommodation for older people, it is inappropriate to require evidence of need to support the provision of individual

schemes, and the policy does not sufficiently recognise the role of private sector developers and operators in this field to bring forward suitable sites for this type of housing. MM30 replaces the requirements in Policy H13 with a positive policy which encourages the delivery of such housing in locations with good access to public transport and local facilities; encourages local communities to identify suitable sites through the neighbourhood planning process; and requires provision within the strategic housing allocations. More information is provided within the supporting text. In addition, MM23 in respect of Policy H1 allows for specialist housing for older people on unallocated sites. In combination, these modifications, which are in the interests of soundness and effectiveness, create a positive environment for bringing forward specialist housing for older people.

*Provision for gypsies, travellers, travelling showpeople and boat dwellers*

243. The Cherwell, Oxford City, South Oxfordshire and Vale of White Horse Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2017) (document HOU14) identified a need (in the period to 2017 to 2033) for 9 additional pitches for households that meet the planning definition of gypsies and travellers. Additionally, the assessment identified a need of between 0 to 5 pitches for households where it could not be determined if they still met the planning definition (unknown) and recommended 1 additional pitch was needed. The Plan responds by seeking 10 plots in part 1 of Policy H14: 4 pitches for gypsies and travellers at Didcot North East (carried over from the Core Strategy), 3 pitches on Land adjacent to Culham Science Centre (STRAT9) and 3 pitches at Chalgrove Airfield (STRAT7).<sup>6</sup>
244. The Assessment also identifies a possible additional requirement (whilst no longer a requirement to include in a Gypsy and Traveller Accommodation Assessment) for an additional 8 pitches for households that do not meet the planning definition (in other words they are non-travelling). To address these needs and any additional need resulting from determining the planning status of the unknown households, part 2 of the policy allows for new pitches for gypsies, travellers and travelling showpeople subject to certain criteria, safeguards existing gypsy and traveller sites and allows for the extension of existing sites where possible to meet the needs of existing residents and their families.
245. The way part 2 of the policy is written, it is unclear as to whether these criteria apply to the sites and circumstances referred to in part 1 or whether they are intended to evaluate other sites that are brought forward. MM31 clarifies the position by stating that the criteria relate to additional pitches not set out in part 1 of the policy. It also corrects erroneous policy cross references, and deletes criteria which require compliance with some other plan policies, which are unnecessary because the plan must be read as a whole. The modification is required for the policy to be effective.
246. MM23 (also referred to in Issue 4) adds to part 6 of Policy H1 by making it clear that proposals for new residential caravan and mobile homes sites to

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<sup>6</sup> Policy H14 of the submission Plan contains erroneous policy references (see MM31). These are the correct ones.