



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

Ref:

(For official use only)

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

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cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.*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:		Mrs
First Name:*		Robyn
Last Name:*		Milliner
Job title <i>(where relevant):</i>		Principal Planner
Organisation <i>(where relevant):</i>		ET Planning
Address* <i>Please include postcode:</i>		200 Dukes Ride, Crowthorne, RG45 6DS
Email address:*		████████████████████
Telephone number:		01344 231195

*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):	Robyn Milliner – ET Planning Messrs. Marriage
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Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	
Policy:	Policy SP1, SP5, SP8, SP11, SP17
Appendix:	
Policies Map:	
Other:	Please see accompanying representation for other comments.

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:

Please see accompanying representation.

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
Positively Prepared: 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		
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		
Effective: 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		
Consistent with national policy: 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 representation.

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:

Please see accompanying representation.

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 representation for proposed changes.

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:

To represent my clients' best interests and explain the merits of the site and why it should be included within the site boundary..

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

6. Notification of Progress of the Local Plan Review

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

Please tick all that apply:

Tick

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

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

Signature	R. Milliner	Date	28.02.2023
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Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.

Planning Policy Team,
Development and Regulation,
West Berkshire District Council,
Market Street,
Newbury,
RG14 5LD

28 February 2023

Sent via email

Dear Sir/Madam,

Response to West Berkshire Local Plan Review Consultation – Land to the north east of Floral Way, Thatcham March 2023

West Berkshire District Council ('WBDC') are the currently in the process of undertaking a Local Plan Review ('LPR'). We write in response to the West Berkshire Proposed Submission (Regulation 19) Local Plan Review 2022-2039 Consultation which closes on Friday 3 March 2023.

I am pleased to enclose this representation which is sent on behalf of Messrs. Marriage who own the site THA22: Land to the north east of Floral Way, Thatcham hereafter referred to as 'the Site'.

This representation will cover the following topics:

- Introduction to the Site
- HELAA analysis of the Site
- Emerging Local Plan Policies
 - Policy SP1 - Newbury and Thatcham
 - Policy SP5 – Responding to Climate Change
 - Policy SP8 – Landscape Character Assessment
 - Policy SP11 - Local Wildlife Sites
 - Policy SP17 – Northeast Thatcham Strategic Site
- Suitable uses for the Site

- Site availability and achievability for supporting uses

These representations conclude that given the sites close proximity to the proposed residential development on Policy SP17 site allocation, it is considered that firstly the Site should be included within the site allocation boundary of Policy SP17 and secondly it should be masterplanned to provide biodiversity net gain and/or strategic alternative natural greenspace for the wider allocation. If required, it is considered that telecommunications infrastructure could also be hosted on the Site.

Introduction to the Site

As explained above, our clients own the Site named land to the north east of Floral Way, Thatcham. This has been in the family ownership for a number of years, with the Site previously being part of a wider ownership which has reduced as parts of the Site have been sold over time.

The Site is a square shaped parcel of land to the east of Thatcham which comprises of a telephone mast and number of trees. There are no Tree Preservation Orders (TPOs) on the Site itself, however the Site is designated as ancient woodland (The Plantation) with land to west which is subject to both ancient woodland and TPOs. The Site has an existing and established highway access from Floral Way. The Site is currently also designated as a Local Wildlife Site (SU56J01).

The Site is adjacent to the settlement of Thatcham, which is identified as an Urban Area in the settlement hierarchy. Urban Areas are noted as having a wide range of services and are to be the focus for the majority of development. The western site boundary adjoins the settlement boundary.

There is one record of planning history on site, this relates to the approval for the erection of a 15m high lattice tower and associated ancillary

equipment (00/00388/TELE42) in August 2000. The Site has not formed part of an allocation in a Local Plan previously.

Housing and Economic Land Availability Assessment (HELAA) analysis for the Site

The Local Plan Review is supported by a number of evidence base documents. The HELAA is a key evidence document to the LPR. The Council's latest HELAA was published in January 2023, ahead of the Local Plan Review consultation. The Site has been included within the HELAA as reference THA22: Land to the north east of Floral Way, Thatcham and was added as a new site in the most recent HELAA.

The HELAA notes that the Site is adjacent to the settlement boundary, its existing use is described as a telephone mast and proposed use as woodland amenity as part of the North East Thatcham development. It is described as greenfield land with a site area of 0.65 ha.

The Site was shown to have very few constraints within the HELAA, however, it is ancient woodland. Furthermore, the Site is within Flood Zone 1 which has the lowest probability of flooding. Given the woodland constraint, it is considered that the site could be suitable to support development.

The HELAA concludes that the Site is suitable, available, achievable and potentially developable. In addition, it states that in relation to deliverability 'the site has been promoted as use as woodland amenity. The site currently comprises of woodland'.

Emerging Local Plan Policies

A review of relevant policies to the Site within the Emerging Local Plan has been undertaken, we therefore have the following comments to make:

- Policy SP1 – The Spatial Strategy

The Site falls within the spatial area of Newbury and Thatcham as per draft Policy SP1. We are supportive of the spatial strategy and identification of three spatial areas, including Newbury and Thatcham as one of these.

For Newbury and Thatcham specifically, the policy requires that among other requirements '*A new urban extension to the north east of the town will provide a new residential neighbourhood with supporting facilities and green infrastructure in accordance with Policy SP17.*' We are particularly supportive of the policy recognition for the need to green infrastructure specifically for Policy SP17 (North East Thatcham Strategic Site).

- Policy SP3 – Settlement Hierarchy

We are supportive of the settlement hierarchy identified within Policy SP3, particularly the identification of Thatcham as an urban area which is defined as '*The main urban areas with a wide range of services and opportunities for employment, community and education. Serving a large catchment area with good levels of accessibility and frequent public transport provided to a large number of destinations*'.

- Policy SP5 – Responding to Climate Change

The principles of Policy SP5 are supported. Whilst the policy itself focuses on low and zero carbon technologies, it is suggested that reference is made to supporting infrastructure associated with renewable energy, specifically battery storage and the key role these provide in ensuring the national grid is stable.

There is also a need for battery storage to be located in appropriate and suitable locations in close proximity to the renewable source and

this element should be recognised within the policy and supporting text.

- Policy SP11 – Biodiversity and Geodiversity

The principles within Policy SP11 are supported, particularly the requirement for development proposals to demonstrate how they conserve and enhance biodiversity and/or geodiversity including their long-term future management and deliver a minimum 10% biodiversity net gain.

It is considered that the Plan could go further in supporting biodiversity by allocating specific sites for biodiversity net gain.

- Policy SP17 – North East Thatcham Strategic Site

The inclusion of Policy SP17 (North East Thatcham Strategic Site) is welcomed within the Regulation 19 Plan. In terms of the specifics of Policy SP17, emphasis on green infrastructure and biodiversity net gain within the policy is supported. However, it is considered that HELAA site THA22, which is adjacent to the site on the western boundary, should be included within the site allocation boundary of Policy SP17.

It is considered that the Site was not suitably assessed for allocation through the emerging Local Plan as it had not been submitted to the Council prior to 2018. The evidence base supporting the Policy SP17 site allocation is based upon the Thatcham Strategic Growth Study which is a three part study undertaken between 2019-2020, prior to the site being submitted to the Council.

Stage 2 of the Thatcham Strategic Growth Study assesses the HELAA submissions to determine the sites which may be suitable for allocation. It should be noted that the Site has been excluded from

this study, as shown in figure 1, as it was not known to the Council at this time, having only been included in the most recent HELAA published in January 2023. In line with paragraph 35a) of the NPPF in which lists the tests of soundness in which Local Plans are tested against, it is considered that criterion b) has not been satisfactorily met.

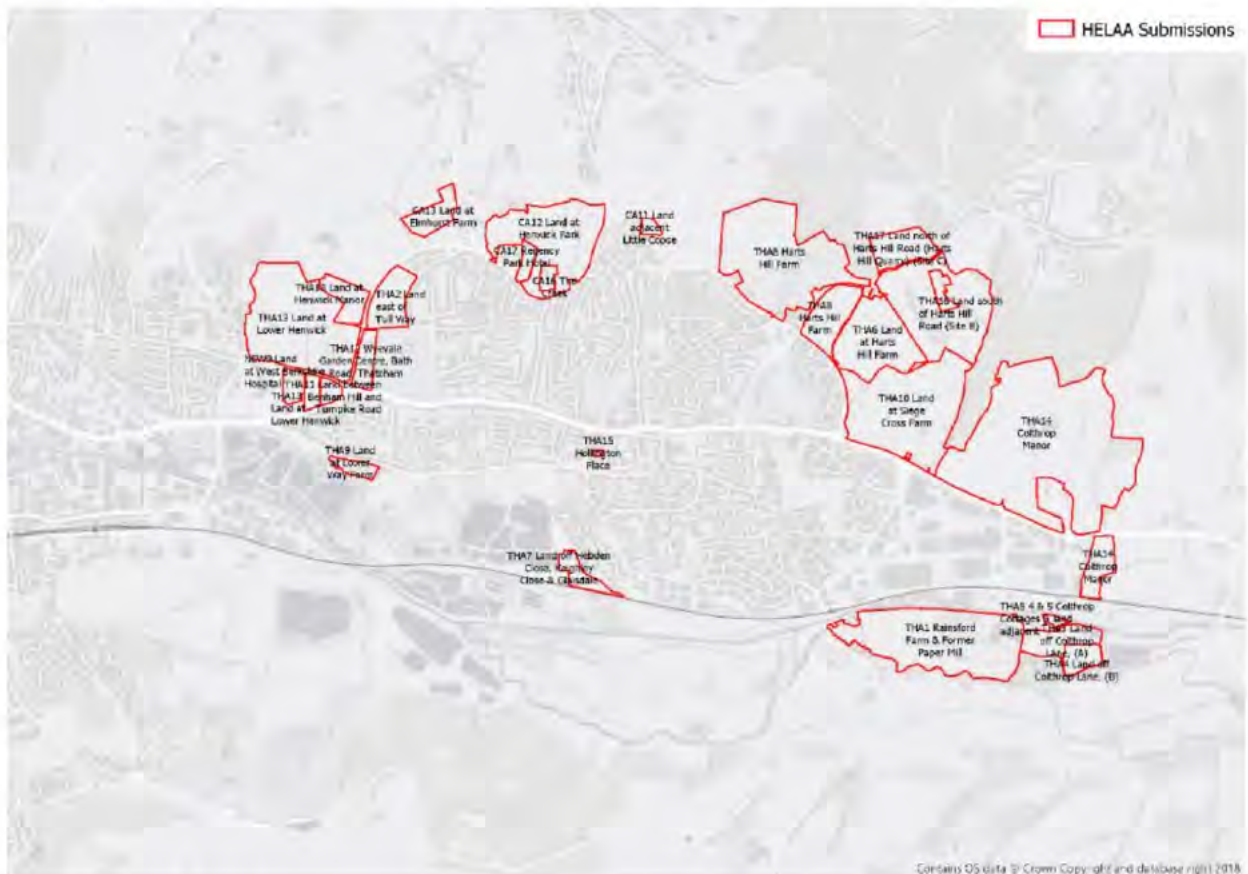


Fig 1: HELAA submissions around Thatcham (December 2018)- taken from Stage 2 of Thatcham Strategic Growth Study (April 2020)

Suitable uses for the site

As outlined above, it is considered that the Site was not considered through the Thatcham Strategic Growth Study as the Council were not aware of the site prior to 2022.

The masterplan for the site as outlined in the third stage of the Thatcham Strategic Growth Study shows the area adjacent to our client’s site as

residential, as shown in Fig 2. It is important to note that the land parcel to the south of our client's site (and which is included within the site allocation boundary) also has a number of trees which have been able to grow for around 5 years and therefore are in a comparable position to our clients site.



Fig 2: Site location (starred, ET Planning added) showing residential use to the north and east of the site, extract from Thatcham Strategic Growth Study Future (September 2020)

National Planning Policy Framework paragraph 32 requires 'Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal

requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains).'

The National Planning Policy Framework 2021 para 174 (d) requires '*planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity*'. Paragraph 179 b) also requires that to protect and enhance biodiversity and geodiversity plans should '*promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity*'.

The Environment Act 2021 introduces a requirement for developments to provide a minimum of 10% biodiversity net gain on site. Secondary legislation is emerging which when in place will make this a statutory requirement in law, and therefore required for all development. The Government have recently confirmed (on 21 Feb 2023) through their consultation response to the consultation on Biodiversity Net Gain Regulations that the 10% requirement will come into force in November 2023, and Summer 2024 for smaller sites. Fig 3 shows opportunities for biodiversity net gain as taken from the Thatcham Future Study



Fig 3: Green Infrastructure Plan as outlined in Stage 3 Thatcham Future (September 2020) study

Given the Sites close proximity to the proposed residential development on Policy SP17 site allocation, it is considered that firstly the Site should be included within the site allocation boundary of Policy SP17, as other similar sites have been and secondly it should be masterplanned to provide biodiversity net gain and/or strategic alternative natural greenspace ('SANG') for the wider allocation.

Site availability and achievability for supporting uses

As outlined previously, the Site should be included within the red line boundary of Policy SP17 – North East Thatcham Strategic Site. It is anticipated that The Site could be used for biodiversity net gain for the wider site. Given the existing mast, which is located on the Site, if required, it is considered that the Site could to host supporting infrastructure for the new residents on site, for instance as 5G telecommunications infrastructure. Furthermore, my clients inform us that there is a long

established 33000-volt overhead electricity line which comes into the site from the north west, onto an H pole inside the northern boundary where it goes underground across the site in a south easterly direction to feed Thatcham. My clients ask if this facility might lend itself for a Pod of High-Speed Electric Car Charging Units?

In addition, in relation to the suitability of the Site being included within the red line boundary this representation confirms that:

- The Site is available to be included within the LPR.
- There are no known issues to prevent the Site being included within the red line boundary of the strategic site allocation.
- There are no known issues which would prevent the site from being included within the boundary of the wider site allocation.
- The Site is achievable.
- The Site is suitable for strategic alternative natural greenspace/ biodiversity net gain for the wider site allocation.

Summary

Thank you for providing my clients the opportunity to comment on the draft policy documents. This representation has reviewed the relevant policies in the emerging Local Plan as well as relevant evidence base documents.

To conclude, given the Sites close proximity to the proposed residential development on Policy SP17 site allocation, it is considered that firstly the Site should be included within the site allocation boundary of Policy SP17 and secondly it should be masterplanned to provide biodiversity net gain and/or strategic alternative natural greenspace for the wider allocation. If required, it is considered that the Site could also host telecommunications infrastructure.

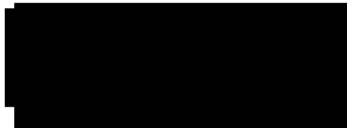
In addition, in relation to the suitability of the Site being included within the red line boundary this representation confirms:

- The Site is available to be included within the LPR.
- There are no known issues to prevent The Site being included within the red line boundary of the strategic site allocation.
- There are no known issues which would prevent The Site from being included within the boundary of the wider site allocation.
- The Site is achievable.
- The Site is suitable for woodland use amenity/ biodiversity net gain for the wider site allocation.

We look forward to being involved further and may provide additional representations and evidence at the Examination in Public if necessary.

We trust that the comments are clear, however if you require any further clarity on any of the comments made, please do not hesitate to get in contact.

Yours faithfully,



Robyn Milliner BA (Hons) MSc MRTPI

Principal Planner | ET Planning

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