

Comment

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| Consultee | Lynn Hayter (1256478) |
| Email Address | [REDACTED] |
| Address | |
| Event Name | Proposed Submission (Reg 19) West Berkshire Local Plan Review 2022-2039 |
| Comment by | Lynn Hayter (1256478) |
| Comment ID | PS670 |
| Response Date | 03/03/23 12:44 |
| Consultation Point | Policy SP 13 Sites allocated for residential and mixed-use development in Newbury and Thatcham (View) |
| Status | Processed |
| Submission Type | Web |
| Version | 0.3 |
| Bookmark | Hayter, Lynn |

1. Do you consider the Local Plan Review is legally compliant?

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

No

Please give reasons for your answer

Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 states:

“(1) Where an environmental assessment is required by any provision of Part 2 of these Regulations, the responsible authority shall prepare, or secure the preparation of, an environmental report in accordance with paragraphs (2) and (3) of this regulation.

(2) The report shall identify, describe and evaluate the likely significant effects on the environment of—

(a) implementing the plan or programme; and

(b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.”

The SA/SEA Environmental Report states:

“The Core Strategy had a focus on Newbury and Thatcham, with two strategic sites allocated in Newbury and smaller sites allocated across the rest of the district. This mix of strategic and smaller sites across the district worked well for the Core Strategy by providing flexibility and natural phasing of developments across the plan period. As a result a similar mix of sites is considered to be appropriate for the LPR with no other alternatives considered.”

Regulation 12 requires the identification, description and evaluation of 'reasonable alternatives'. If an approach worked well in the current plan period, it does not follow that it is the best approach for the following plan period—and it is certainly does not follow that there are no 'reasonable alternatives'. It is incorrect for the SA/SEA to assert that the approach in the current Local Plan has 'worked well' by providing 'natural phasing of developments across the plan period. This is certainly not the case for the Sandleford Strategic Site Allocation. Policy CS3 of the current Local Plan states: "Within the area identified at Sandleford Park, a sustainable and high quality mixed use development

Issue: The Sustainability Appraisal for Policy SP1 - Spatial Strategy
 Section/paragraph: 4.19 Policy: SP1 - Spatial Strategy Appendix: Policies
 Map: Other: SP16, SP17 Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) November 2022

Sustainability Appraisal / Strategic Environmental Assessment; Appendix 5 will be delivered in accordance with the following parameters:

Phased delivery of up to 2,000 dwellings, of which at least 40% will be affordable and with an emphasis on family housing. At least half the housing is planned to be delivered by 2026;" However, as the SA/SEA explains (pages 35-37): "no work has started at the site at Sandleford, with outline planning permission for the eastern part of the site only granted (on appeal) in May 2022." The site has been re-allocated "as a single site for up to 1500 dwellings". "Reducing the number of dwellings on the site allowed for better consideration of the constraints on the site (Ancient woodland, drainage, landscape buffers etc.) and will allow for adequate and appropriate mitigation measures to be put in place."

The SA/SEA states (page 25, below the table): "Following the decision that the spatial strategy should focus on Thatcham, strategic site options were considered, based on the sites submitted through the February 2020 HELAA."

Therefore, 'reasonable alternatives' that are not around Thatcham were not considered. This decision was also based on the false premise that the town of Thatcham would have sufficient infrastructure to support this development, either at the time of the decision or as a result of the development. The lack of infrastructure in Thatcham is addressed by other representations of the Town Council.

The Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) for Policy SP1 cannot be legally compliant, because it explicitly states that it has not complied with the requirement to identify, describe and evaluate reasonable alternatives to the proposed policy. The experience of delays in delivery of Sandleford Park in the current plan period (described in paragraphs 6.44–6.46 of the draft Local Plan, and the reduction in the number of dwellings from 2,000 to 1,500, suggest that the proposed policy for North East Thatcham is not even the best alternative.

2. Do you consider the Local Plan Review is sound?

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

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

Please tick all that apply:

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. . No

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. . No

Please give reasons for your answer

As explain in Section 1 above, the draft Local Plan explicitly states that no alternatives have been considered. The evidence of the failure of the Sandleford Strategic Site Allocation to deliver the expected number of houses suggests that relying on two strategic sites (with a number of smaller sites) is not even the best approach.

As the sustainability appraisal is not legally compliant, the Local Plan cannot be in accordance with Paragraph 32 of NPPF.

Please give reasons for your answer

N/A

4. Proposed Changes

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

You will need to say why this change will make the Local Plan Review 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.

A new Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) needs to be undertaken, which considers all 'reasonable alternatives' to the decisions relating to strategic sites and proposed approach of Policy SP1.

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

The submission of the Local Plan Review for Independent Examination

The publication of the report of the Inspector appointed to carry out the examination

The adoption of the Local Plan Review

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| Consultee | Lynn Hayter (1256478) |
| Email Address | [REDACTED] |
| Address | |
| Event Name | Proposed Submission (Reg 19) West Berkshire Local Plan Review 2022-2039 |
| Comment by | Lynn Hayter (1256478) |
| Comment ID | PS671 |
| Response Date | 03/03/23 12:44 |
| Consultation Point | Policy SP 12 Approach to Housing Delivery (View) |
| Status | Processed |
| Submission Type | Web |
| Version | 0.2 |
| Bookmark | Hayter, Lynn |

1. Do you consider the Local Plan Review is legally compliant?

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

No

Please give reasons for your answer

Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 states: "(1) Where an environmental assessment is required by any provision of Part 2 of these Regulations, the responsible authority shall prepare, or secure the preparation of, an environmental report in accordance with paragraphs (2) and (3) of this regulation.

(2) The report shall identify, describe and evaluate the likely significant effects on the environment of—

(a) implementing the plan or programme; and

(b) reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme."

The SA/SEA Environmental Report describes how only a single alternative was considered in the Interim SA/SEA for the Regulation 18 consultation. For the Regulation 19 Consultation, two alternatives are considered, for 1,500 homes and 2,500 homes. No explanation is given as to why other alternatives with fewer than 1,500 homes were not considered.

One 'reasonable alternative' that should have been considered is to divide the required number of homes between two sites (or perhaps even more). The SA/SEA states that "A large strategic site can deliver a number of positive benefits". This is undoubtedly true, but the opposite is not inherently false, as evidenced by the analysis in Section 2-Soundness below:

-The NE Thatcham site would have two primary schools, so two smaller sites could have one school each.

-The provision of a GP surgery is not related to the number of houses; it would be provided by the proposal for 1,500 houses but not the one for 2,500 houses.

-The site is stated to have "local centres providing local retail facilities and small-scale employment for community use". If there are several local centres, then they could be distributed. Issue: SA/SEA Appraisal for Policy SP17 – number of homes
Section/paragraph: 6.61
Policy: SP17 – number of homes
Appendix:
Policies Map:
Other: Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) November 2022

between several smaller sites.

-A site of either 1,500 or 2,500 homes is not sufficient by itself to support the provision of secondary education.

The SA/SEA for Policy SP13 states:
"Due to the proposed strategic allocation in Thatcham, it is not considered appropriate to allocate any further sites in Thatcham and therefore, no other sites have been assessed."
The Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) for Policies SP1 and SP13 are therefore not legally compliant, because they have not considered all of the 'reasonable alternatives' to a single development of 1,500 homes.

2. Do you consider the Local Plan Review is sound?

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

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

Please tick all that apply:

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. . No

Please give reasons for your answer

As the sustainability appraisal is not legally compliant, the Local Plan cannot be in accordance with Paragraph 32 of NPPF.

Please give reasons for your answer

N/A

4. Proposed Changes

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

You will need to say why this change will make the Local Plan Review 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.

A review of Table 30 should be part of a wider review of the Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) in relation to North East Thatcham.

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

The submission of the Local Plan Review for Independent Examination

The publication of the report of the Inspector appointed to carry out the examination

The adoption of the Local Plan Review

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| Consultee | Lynn Hayter (1256478) |
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| Address | |
| Event Name | Proposed Submission (Reg 19) West Berkshire Local Plan Review 2022-2039 |
| Comment by | Lynn Hayter (1256478) |
| Comment ID | PS682 |
| Response Date | 03/03/23 12:43 |
| Consultation Point | Our Vision (View) |
| Status | Processed |
| Submission Type | Web |
| Version | 0.1 |
| Bookmark | Hayter, Lynn |

1. Do you consider the Local Plan Review is legally compliant?

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

No

2. Do you consider the Local Plan Review is sound?

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

Please tick all that apply:

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. . No

Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary . No

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. . No

Please give reasons for your answer

In the consultation portal the strategy outlined by West Berkshire Council (WBC) seems to be that the Area of Outstanding Natural Beauty (AONB) must not have any new housing or work opportunities built in it.

Figure 1 West Berkshire Constraints shows that the majority of West Berkshire is covered by the AONB and WBC seem to have decided that a very small part of the district, concentrated around Newbury, Thatcham and Reading, must contain all of the new housing and work opportunities for the foreseeable future.

WBC has failed to properly investigate alternative places in the district for development and have dismissed out of hand anywhere else but north-east Thatcham, south Newbury and Reading.

This is an unsustainable plan for the future and goes against the idea of providing a pleasant place for everyone to live and work. The best way to deliver a good place for everyone to live and work is to develop new small-scale housing and business premises in all villages and settlements, so that people can live and work more locally.

For the future the nation will need to grow food and create energy for living much closer to where people live and work, and a completely new approach will be needed to ensure that this is done for the benefit of everyone. The idea of keeping all new housing and business development concentrated around Newbury, Thatcham and Reading will not be sustainable into the future..

The idea that the AONB must not have any new housing and business development built in it is completely flawed. Villages and settlements need to have new housing and work opportunities so that they will be able to accommodate future generations of current families, otherwise they will continue to be the preserve of only very wealthy people thereby forcing new generations out of these communities.

Please give reasons for your answer

N/A

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

The submission of the Local Plan Review for Independent Examination

The publication of the report of the Inspector appointed to carry out the examination

The adoption of the Local Plan Review