	<p>West Berkshire Local Plan Review 2022-2039</p> <p>Proposed Submission Representation Form</p> <p>Ref:</p> <p><i>(For official use only)</i></p>
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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

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cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.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:	Councillor	
First Name:*	Simon	
Last Name:*	Pike	
Job title (where relevant):	<i>(these representations are made in a personal capacity)</i>	
Organisation (where relevant):	Thatcham Town Council	
Address* Please include postcode:	████████████████████ ██████████	
Email address:*	████████████████████	
Telephone number:	██████████	

*Mandatory field

Part B – Your Representation

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

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

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

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 explicitly states that no alternatives have been considered to the approach in the current Local Plan of two strategic sites and smaller sites allocated across the rest of the district.

This is not in accordance with Regulation 12, which requires the identification, description and evaluation of ‘reasonable alternatives’. The Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) for Policy SP1 therefore cannot be legally compliant.

2. Soundness

Do you consider the Local Plan Review is sound?

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:

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

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

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.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

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

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 requires the consideration of reasonable alternatives to the proposed policy

The SA/SEA Environmental Report describes that 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 – and there is no explanation as to why other alternatives with fewer than 1,500 homes were not considered.

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:

- The two primary schools proposed in SP17 could be located on two smaller sites.
- The “local centres providing local retail facilities and small-scale employment for community use”. could be distributed 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 that the only considered is the one in Policy SP17:

“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.”

Therefore, the Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) for Policies SP1 and SP13 are therefore not legally compliant.

2. Soundness

Do you consider the Local Plan Review is sound?

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:

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

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

The Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) needs to consider ‘reasonable alternatives’ to North East Thatcham.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Housing allocation for North East Thatcham
Section/paragraph:	6.22, 6.61
Policy:	SP12, SP17
Appendix:	
Policies Map:	
Other:	Thatcham Strategic Growth Study Stage 3 West Berkshire Strategic Transport Model

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

The draft Local Plan was approved to move to Regulation 19 Consultation by a meeting of West Berkshire Council on 1st December 2022. This approval was given on the basis that the size of the development when complete would be approximately 1,500 dwelling. The Council's press release on this decision stated:

"Councillors allocated a new strategic development of 1,500 new homes in north-east Thatcham, a significant decrease from the 2,500 previously proposed."

"We have cut the proposals for any future development in north-east Thatcham by 1,000 homes, which is a big change."

The emerging draft Local Plan (December 2020) stated at paragraphs 6.12 and 6.13:

"This includes the strategic allocation at North West Thatcham for up to 2,500 homes where delivery of at least 1,250 dwellings is anticipated within the plan period."

The Local Plan Submission draft (January 2023) states in Policy SP17: "The site is to be allocated for approximately 1,500 dwellings which will be completed within the period of the plan.";

at paragraph 6.22: "additional housing supply on newly allocated sites ... includes the strategic allocation at North West Thatcham for up to 1,500 homes within the plan period.";

and at paragraph 6.61: "Delivery of approximately 1,500 dwellings is anticipated within the plan period."

Policy SP17 is silent on the possibility of additional dwellings following the plan period.

Policy SP17 also states: "The Thatcham Strategic Growth Study provides guiding principles for the delivery of the site therefore proposals will demonstrate that these guiding principles have been positively responded to."

The Thatcham Strategic Growth Study was prepared for a site allocation of 2,500 dwellings, and has not been updated following the decision. It could there be interpreted that one of the 'guiding principles' of the Growth Study is a final size for the development of 2,500 dwellings.

Even worse, an applicant for planning permission might 'cherry pick' a site allocation of up to 2,500 dwellings with the infrastructure provisions in Policy SP17 that are based on the needs of 1,500 dwellings.

The wording of Policy SP17 is therefore unclear and ambiguous on the expected final number of dwellings on the North East Thatcham site. It is therefore not evident how a decision maker (whether West Berkshire Council or the Planning Inspectorate in case of an appeal) would interpret the policy.

Paragraph 16 of the NPPF (July 2021) states that: "Plans should: d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". Policy SP17 is therefore not in accordance with Paragraph 16 of NPPF, and is therefore not consistent with national policy.

NOTE: as stated in other representations, I believe that the number of 1,500 homes needs to be reviewed. This representation only addresses the clarity of the wording, and not the number.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

To make this aspect of policy SP17 sound, it must be clarified that the number of dwellings defined in the second paragraph of the Policy is the final number when development is completed, and not just the number completed during the plan period.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Light pollution
Section/paragraph:	10.45, 10.46
Policy:	DM5
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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	✓ With caveat	

Please give reasons for your answer:

I support the inclusion of obtrusive light in Policy DM5 on Environmental Nuisance and Pollution Control. The ILP Guidance note on 'Reduction of Obtrusive Light' is an appropriate and proportionate technical basis for this policy.

My reservation is the absence of any guidance on the which Zone in Table 6 "ILP environmental zone for exterior lighting control" applies to different parts of West Berkshire. This will make the determination of this planning application somewhat subjective, and therefore open to challenge.

It could be a substantial task to develop a definition that is applicable to all locations in West Berkshire, but it may be feasible to make a definition that is applicable to the great majority of applications, especially outside the AONB. For example:

E4, Urban: Business districts of Newbury and Thatcham

E3, Suburban: Within those settlement boundaries or areas of employment land that are outside the AONB

E2: Remainder of the area outside the AONB

Within the AONB: decided on a case-by-case basis.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

West Berkshire Council should consider providing guidance on which environmental zone for exterior lighting control is applicable to different parts of West Berkshire, either in this Policy or an SPD.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Ambiguous use of the word “will” throughout the draft Local Plan, but particularly in policy SP17, and other ambiguities
Section/paragraph:	All parts of SP17
Policy:	SP17
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

Paragraph 16 of the NPPF (July 2021) states that: “Plans should: d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

The word “will” has many different meanings when it forms part of a modal verb, including:

- (i) To issue commands, to express intention or determination;
- (ii) To make requests, or invite;
- (iii) To wish, desire or want.

Within the draft Local Plan, the word “will” is used with all three meanings. In some cases, the intended meaning is clear, but in many places it is not. This leads to considerable ambiguity, and the risk that the policy could be interpreted in the future in ways that are contrary to what is currently intended, or that the policy could be challenged through planning appeal.

This ambiguity exists throughout the draft Local Plan, but the focus of my concern of is on policy SP17.

The Policy refers to the “Thatcham Strategic Growth Study provides guiding principles for the delivery of the site”. This study has three reports: Thatcham Past, Thatcham Present and Thatcham Future. Presumably, only the last of these is relevant to Policy SP17, so this should be clarified.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

It is necessary to replace the word “will”, where the intended meaning is a commitment or obligation. The two possibilities are “must” or “shall”.

I have extensive experience in the development of technical standards in Technical Bodies of the European Telecommunications Standards Institute (ETSI). Its drafting rules specifically prohibit the use of the word ‘will’ in standards, and any document containing this word would be returned by the ETSI Secretariat to the Technical Body for amendment. The word used by ETSI for a requirement is “shall” – largely for consistency in translation into other languages.

For the draft Local Plan, I prefer the use of “must”, as recommended in ‘The Office of Parliamentary Counsel: Drafting Guidance’; June 2020.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892409/OPC_drafting_guidance_June_2020-1.pdf (retrieved 12/02/2023)

In addition to the changes proposed in the representation by Thatcham Town Council, I would change the two instances of “shall” in the final paragraph to “must”, to make it clear that this provision carries the same weight as the other requirements in the Policy.

Policy SP17

North East Thatcham Strategic Site Allocation

Land as shown on the Policies Map is allocated for a sustainable low carbon, urban extension comprising of distinct neighbourhoods defined by their landscape and connected and contributing to Thatcham, and woven through with natural habitats and links. The site must will be masterplanned and delivered as a whole to achieve a comprehensive development. The provision of all infrastructure, services, open space and facilities must will be timely and co-ordinated. The Thatcham Strategic Growth Study Stage 3 Report Thatcham Future provides guiding principles for the delivery of the site therefore proposals must will demonstrate that these guiding principles have been positively responded to.

[NOTE: I do not understand how “positively responded to” would be interpreted in planning policy terms, especially as the Thatcham Strategic Growth Study was for 2500 houses]

Homes

The site is to be allocated for approximately 1,500 dwellings which are expected to will be completed within the period of the plan. These dwellings must will comprise of a housing mix which complies with the housing mix contained in Table 3 of Policy SP18. In addition at least:

- 40% of dwellings must will be affordable housing; and
- 3% of dwellings must will be delivered via serviced custom/self-build plots.

Community

The site must will provide:

- Local centres providing local retail facilities and small-scale employment for community use (approximately 1,100 sq. metres Class E and F2);
- 450 sq. metres GP Surgery to be offered to the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board or other such appropriate body;
- Early years provision;
- A 2.5 FE primary school on site and sports infrastructure requirements of the school, land to be provided and build costs to be met by the applicant;
- Secondary provision - Land to meet the impact of the development. The nature and cost of the mitigation must will be informed by a feasibility study, undertaken at the applicants expense and prepared in collaboration with the Council and local stakeholders;
- 1,200 sq m community indoor facility to be used for sport and community uses with a variety of room sizes (currently use classes E and F);
- Outdoor formal and informal sports pitches and areas to meet the identified need of the development;
- Open space to meet the needs of the development in accordance with Policy DM41;

Green Infrastructure

The site must will provide a comprehensive green infrastructure network which will take advantage of the landscape features of value within and around the site. This network will comprise:

- A new community park linking Thatcham to the North Wessex Downs AONB;
- Greenways which connect through the site to the park, facilitate connection to the AONB, and include leisure routes accessible to all users;
- A comprehensive network of other accessible routes and connections within the development which provide walking and cycling links along desire lines;
- Existing and new Public Rights of Way; and
- Retained and new trees, hedgerows and other appropriate native planting which contribute to biodiversity net gain.

Transport

Measures must will be included to improve accessibility by, and encourage use of, non-motorised transport modes. A Transport Strategy must will provide detail on how this will be achieved, including:

- Active travel improvements on routes between the site, Thatcham town centre and the railway station;
- A vehicular through route;
- Sustainable transport through routes;
- Mitigation of the development's impacts on the highways network with improvements to existing junctions where they are needed and delivery of new access points for all forms of movement and transport to the site at locations to be agreed with the planning authority; and
- How adverse impacts on air quality will be minimised.

Sustainability

Development of the site must will be in accordance with supported by a Sustainability Charter which will establish how policy requirements will be achieved. This will be informed by:

- An Energy Strategy which must sets out measures to achieve a model low carbon development (following the energy hierarchy) in accordance with Policies SP5 and DM4, including:
 - net zero carbon (regulated and unregulated energy) emissions for dwellings;
 - BREEAM 'excellent' non residential buildings;
 - on-site renewable energy to assist in the delivery of a net zero carbon neutral development; and
 - carbon off-setting.
- An Integrated Water Supply and Drainage Strategy which must will set out:
 - measures to ensure the provision of adequate and appropriate infrastructure for water supply and waste water, both on and off site; and
 - surface water management approaches that could deliver net gain for Thatcham town, including use of on-site sustainable drainage systems (SuDS).
- An Ecology Strategy which must will set out:
 - a Biodiversity Net Gain Strategy to show how net gain will be achieved including through habitat restoration and linkages;
 - how priority habitats and ecological features will be protected and enhanced;
 - the creation of new ecological features; and
 - a site-wide management plan.
- A Green Infrastructure Strategy which must will show how a network of multifunctional green infrastructure will be delivered across the site.
- A Public Rights of Way Strategy which must to demonstrate how existing Public Rights of Way will be protected and enhanced and how new ones will be established, including bridleway links and safe crossing points.
- A Lighting Strategy which must will include consideration of dark skies, particularly in relation to the nearby North Wessex Downs AONB, and measures to mitigate the impact on biodiversity.
- A Landscape and Visual Impact Assessment (LVIA) in accordance with the Landscape Institute Guidelines for Landscape and Visual Impact Assessment 3rd ed. 2013. This will inform the final capacity, development, design and layout of the site and requirements for green infrastructure and the provision of public open space. The LVIA will be informed by the Landscape Sensitivity Assessment (2021) of the site.
- A Mineral Resource Assessment (MRA).

- A Historic Environment Strategy which must ~~to~~ demonstrate how the listed buildings in the area will be conserved and how the impact of the development on their settings has been considered.

A Construction and Operations Management Plan (COMP) ~~shall~~ must accompany any planning application on the site. The COMP ~~shall~~ must safeguard the oil pipeline from operational works, including the provision of an appropriate buffer.

[NOTE: This final paragraph should not be a sub-bullet of Sustainability]

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Status of the Thatcham Strategic Growth Study
Section/paragraph:	6.54, 6.63
Policy:	SP17, first paragraph
Appendix:	
Policies Map:	
Other:	Statement of Community Involvement Thatcham Strategic Growth Study

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

Policy SP17 states:

“The Thatcham Strategic Growth Study provides guiding principles for the delivery of the site therefore proposals will demonstrate that these guiding principles have been positively responded to.”

As explained in my representation on the wording of Policy SP17 as a whole, the word “will” has many different meanings, and this sentence is therefore completely ambiguous. The sentence only carries any weight if it is intended as a requirement – if it is merely an aspiration, it has no place in a strategic policy. Therefore, the word ‘will’ in this sentence **MUST** be replaced by “must”.

This sentence therefore means that the Thatcham Strategic Growth Study is incorporated by reference into Policy SP17. However, West Berkshire Council states:

“The Thatcham Strategic Growth Study (TSGS) is a consultant’s report commissioned by the Council. The Council has commissioned consultants to provide evidence in relation to various issues that relate to the local plan and all of these can be viewed on the Council’s website.”

It is therefore neither a development plan document nor a supplementary planning document. It was not formally part of the Regulation 18 consultation, and only forms part of the supporting evidence to the Regulation 19 Consultation. It has not been approved by any meeting of West Berkshire Council nor, as far as I am aware, through delegated authority.

The Thatcham Strategic Growth Study is an integral part of the draft Local Plan through incorporation by reference in Policy SP17, but and is not formally part of the Regulation 19 consultation. Policy SP17 therefore is not legally compliant with the requirements of Regulations 18 and 19 of ‘The Town and Country Planning (Local Planning) (England) Regulations 2012’. It therefore also does not comply with the Statement of Community Involvement.

2. Soundness

Do you consider the Local Plan Review is sound?

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:

Paragraph 16 of the NPPF (July 2021) states that: "Plans should: d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

Policy SP17 states:

"The Thatcham Strategic Growth Study provides guiding principles for the delivery of the site therefore proposals will be required to demonstrate that these guiding principles have been positively responded to."

This sentence is totally unclear and ambiguous, for four reasons:

- (i) There is no section of Thatcham Strategic Growth Study titled "Guiding Principles", and no section that could reasonably be identified as containing them. This study is effectively the set of ideas by one consultancy about one possible configuration for a development at North East Thatcham.
- (ii) The Study was based on a development of 2500 dwellings, and it is totally unclear how it might be applied to a development of 1500 dwellings – which aspects would be different and which would be unchanged.
- (iii) The Study includes the employment area south of the A4 (Policy ESA1 in the draft Local Plan) as an integral element, but there is no connection between SP17 and ESA1 in the draft Local Plan.
- (iv) The phrase "positively responded to" is completely meaningless in planning terms.

As a result of this lack of clarity and ambiguities, a developer could claim that almost any proposed development meets the requirements of this sentence in Policy SP17.

Paragraph 6.63 of the supporting text to the policy contradicts paragraph 6.54:

"6.54 In reviewing the vision for Thatcham as part of the LPR, and to best understand how to plan for growth in Thatcham within the plan period, the Council commissioned masterplanning work (Thatcham Strategic Growth Study (TSGS) 2020)."

"6.63 Further detailed work will be required to develop a coherent masterplan or development framework to take the development forward, which will be produced in collaboration with the community and other stakeholders".

It therefore appears that West Berkshire Council believes that the Thatcham Strategic Growth Study

is not coherent, and is inadequate to take the development forward.

I share this view. The Study Stage 3 Report contains a mix of hand-drawn sketches, numerous concept diagrams, miscellaneous photographs and a 'concept masterplan' that is not based on any landscape assessment. As highlighted above, the document does not contain any 'guiding principles', and it is unclear to what extent the plans in earlier parts of the document are referenced from the 'conclusions' section.

I suspect that the Study was produced to be a starting point for further stages of work, and not to be referenced directly from a policy in the Local Plan.

Paragraph 6.59 of the draft Local Plan is misleading to claim that "community objectives which emerged during a community stakeholder workshop". The statement in paragraph 6.5 of the Stage 3 report that it is "building on principles established at a community representatives' workshop that began this stage of the study" is incorrect, because the workshop participants did not collectively establish or endorse any principles.

I was one of the Thatcham Town Councillors who attended this workshop. We were given no advance notice of the nature of the participative sessions. The Town Councillors were spread among different 'teams', and there was no follow-up. The 'results' of this workshop therefore cannot in any way be taken as a considered view of the Council or of the community. In retrospect, the workshop seems more like a token effort to tick a box, rather than a first step in a sincere attempt to engage with the community.

I did not give my permission for a photograph of myself taken during the workshop to be included in the report, and it must not be interpreted as any endorsement of the description of the workshop or of the report.

The Thatcham Strategic Growth Study is therefore unsound, because it does not comply with paragraph 16 of the NPPF.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

As I propose in another representation, the word "will" in the first paragraph of Policy SP17 **MUST** be replaced by "must".

"The Thatcham Strategic Growth Study provides guiding principles for the delivery of the site therefore proposals ~~will~~ must demonstrate that these guiding principles have been positively responded to."

In order to make the Local Plan review legally compliant, the Thatcham Strategic Growth Study needs to be reviewed for a development of 1500 dwellings, and the resulting 'guiding principles' then need to be incorporated into the draft Local Plan or a supplementary planning document. This then needs to undergo public consultation in accordance with the Statement of Community Involvement. This cannot be achieved through modification at examination.

I cannot see how the Local Plan could be considered to be “ready for independent examination”. Therefore, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004, West Berkshire Council should submit it in its present form to the Secretary of State for examination.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Landscape Capacity Assessment
Section/paragraph:	
Policy:	SP17
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

The evidence base for this Regulation 19 consultation includes a total of 33 Landscape Capacity Assessments prepared between 2020 and 2022. 32 of these reports were prepared by Liz Allen EPLA on behalf of West Berkshire Council. The exception is the 'Landscape Sensitivity & Capacity Assessment for Land North East of Thatcham', which was undertaken on behalf of David Lock Associates by Lloyd Bore Ltd (paragraph 2.1).

The report states that David Lock Associates are "planning consultants appointed to West Berkshire Council". This is correct, because they undertook the Thatcham Strategic Growth Study for the Council. However, it DOES NOT say that West Berkshire Council commissioned or funded the Landscape Capacity Assessment. This is confirmed by the response to a Freedom of Information request that I made to the Council, which is provided as Attachment 1 to these representations. The reasoning why West Berkshire Council did not commission or fund the Landscape Capacity Assessment is given below. The information provided in the response indicates that the Council was only involved in the final review of the draft report.

Paragraph 2.12 of the report includes a curious statement:

"The project brief requires the visual sensitivity of the study site to be considered as a single tract of landscape, and for the site not to be broken down into individual parcels of land."

It is difficult to understand why this should be an explicit requirement of the study.

David Lock Associates has a potential conflict of interest in relation to this study; it had already pre-determined its view on the capacity of this site through undertaking the Thatcham Strategic Growth Study for 2,500 dwellings, which was funded by the proponents of the site. Requiring the Landscape Capacity Assessment not to be broken down into individual parcels of land masks the proportion of the site that is suitable for development, and therefore its capacity.

Paragraph 1.12 of the report in the section 'Determination of Landscape Capacity within the Site' states:

"Because the project brief requires the sensitivity of the study site to be assessed as a single tract of landscape, rather than broken down into sub-components, no attempt has been made to plot variability of landscape capacity within the study site boundary, although it is clear that variability is present and is a constraint that should inform design. It will be down to individual applicants to assess the capacity of individual components of the site in relation to individual planning proposals, should the land be brought forward for development."

The statement in the second sentence is true for West Berkshire Council as well as applicants.

The conclusion of the report, given in paragraph 1.7, is:

"Having followed the template methodology, and made judgements concerning landscape and visual sensitivity, wider landscape sensitivity and landscape value, this exercise has concluded that overall the study site THA20 has a Medium Capacity. This is defined in the methodology as follows: 'The landscape could accommodate areas of new development in some parts, providing it has regard to the setting and form of existing settlement and the character and sensitivity of adjacent landscape character areas. There are landscape and visual constraints and therefore the key landscape and visual characteristics must be retained and enhanced.'"

This is obviously inadequate to assess whether the site does indeed have a capacity of 1,500 dwellings, or how they can be distributed across the site.

West Berkshire Council has commissioned studies of landscape capacity for a substantial part of this site in relation to a planning appeal for a previous application for Siege Cross. The summary of Statement of Case of West Berkshire Council's expert witness on landscape highlights the challenges and constraints of development of this site, and is provided as Attachment 2 to my representations.

This document is available online at:

<http://planning.westberks.gov.uk/rpp/showimage.asp?j=15/00296/OUTMAJ&index=1175645>

REASONING ON FREEDOM OF INFORMATION REQUEST

The freedom of information request explicitly requested "Information relating to the procurement of

this study, including the specification, the successful tender response and the value of the contract; or if the study was not procured by competitive tender, the equivalent documentation.”

Clause 1 of the Freedom of Information Act 2000 states:

“General right of access to information held by public authorities.

(1) Any person making a request for information to a public authority is entitled—

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.”

This right of access is subject to a number of exemptions but, if these are invoked, the person making the request must be specifically informed. This response does not refer to any exemption, so this must in law be interpreted that none of these exemptions apply (and, in any case, it is highly unlikely that any of them would apply to the information requested apart from a few redactions).

The response to the freedom of information request does not explicitly state if the Council holds the information. However, the Council has an absolute duty to provide the requested information unless one of the exemptions apply. Therefore, the facts that the information was not supplied and no exemptions were invoked must be interpreted in law as meaning that the documents do not exist.

If “Information relating to the procurement of this study, including the specification, the successful tender response and the value of the contract; or if the study was not procured by competitive tender, the equivalent documentation” does not exist, then the Council cannot have procured the study or played any part in its definition.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

West Berkshire Council needs to commission a Landscape Sensitivity and Capacity Assessment that provides enough information about variability of landscape capacity across the site and its sub-components to inform a Landscape and Visual Impact Assessment (LVIA) for the site and to assess its total capacity.

The wording of Policy SP17 needs to be amended as follows:

The LVIA will be informed by a Landscape Sensitivity and Capacity Assessment that considers variability of landscape capacity across the site ~~the Landscape Sensitivity Assessment (2021) of the site.~~

(added text is underlined; deleted text is struck through)

Until there has been a quantitative Landscape Capacity Assessment for the site, Policy SP17 should not specify a number of dwellings.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Deficit of Social Infrastructure for Thatcham
Section/paragraph:	6.52 and 6.53
Policy:	SP17
Appendix:	
Policies Map:	
Other:	Sustainability Appraisal Appendix 5

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

The regeneration of Thatcham Town Centre and the provision of social infrastructure in the town are recognised as important in policy SP17 – i.e. their economic and social impacts are greater than the criterion of ‘significant’ in the Government Guidance “Strategic environmental assessment and sustainability appraisal”. These should therefore have been considered specifically in the Sustainability Appraisal.

2. Soundness

Do you consider the Local Plan Review is sound?

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:

The current Local Plan states in the introduction to Policy Area Delivery Plan Policy 3:

“Thatcham town centre will be a focus for regeneration, enabling the town to fulfil its role within the District’s Hierarchy of Centres by improving the retail offer and enhancing the streetscape. The provision of leisure and community facilities for all ages will be improved and encouraged within the town centre.”

The policy itself includes the following objectives:

- Thatcham’s services and facilities will be improved allowing the town to fulfil its role within the District Settlement Hierarchy and the Hierarchy of Centres, serving the local population, not only within Thatcham, but also the surrounding rural areas.
- The town centre will be regenerated with the redevelopment of the Kingsland Centre driving this improvement, providing an attractive shopping environment and enhanced retail offer. This redevelopment is proposed to deliver approximately 17,200 sq.m of new floorspace in a mix of uses including, among others, retail, residential, office and community space.
- The streetscape and public realm throughout the town will be improved, along with upgrades to the A4/Bath Road corridor, all of which are vital to enhancing Thatcham’s image.
- The range of leisure facilities within Thatcham will be expanded, utilising those at the existing Newbury Leisure Park on Lower Way, and optimising opportunities for leisure within the town centre through any future regeneration projects.

The Infrastructure Delivery Schedule (2013) includes the following:

- A new library is ‘necessary’ as ‘Library needs to be about 900 sq.m larger than current provision’, at a cost of £3,700,000.

However, none of this regeneration has materialised, no new developments have materialised, and the Newbury Leisure Park has closed.

Area Delivery Plan Policy 3 from the current Local Plan is provided as Attachment 6 to these representations.

The draft Local Plan states:

6.52 Thatcham has experienced rapid population growth during the post-war period, expanding more than 5 times since 1951. This growth has been accompanied by infrastructure growth in transport, and a considerable expansion in the built-up area to match the population growth. **However, in recent decades, the provision of social infrastructure has not kept pace with housing growth.**

6.53 The vision for Thatcham contained in the Core Strategy DPD (2012) was that Thatcham town centre would be a focus for regeneration, **enabling the town to fulfil its role within the District’s Hierarchy of Centres by improving the retail offer and enhancing the streetscape.** The provision of leisure and community facilities for all ages would be improved and encouraged within the town centre. The town would become more self-contained providing a range of job opportunities and encouraging residents to shop and socialise locally.

In the January 2023 Infrastructure Delivery Plan, the new library has been replaced by ‘A new library / community hub building in Thatcham £1.2M’, with no indication on when this might materialise. The only other significant proposed infrastructure developments for Thatcham are related specifically to the North East Thatcham development.

During the current plan period, the town will have grown by several hundred dwellings due to non-strategic development. However, none of the ‘focus of regeneration’ has materialised, and if anything has degenerated – the Kingsland Centre has not been redeveloped, the Newbury Leisure Park has closed, and the library might benefit from a disabled toilet. There have been no other significant compensating enhancements.

Attachment 3 to this response contains the formal answers to questions that I submitted to the meeting of the Executive of West Berkshire Council on 12th January 2023 – see Item (A) on page 3 and Item (H) on page 8 (the question on page 6 is not relevant to the local plan review). The

answers to these questions confirm that there has been no major investment in infrastructure for Thatcham in recent years. Much of what has been what little has been spent was for refurbishment, rather than regeneration. The answer to Item (H) also indicates that the Council did not have the means to deliver any expansion of the Newbury Leisure Park (Covid-related grants are irrelevant, because they were for the purpose of keeping businesses viable, not to provide improvements).

The premise of Policy SP17 that Thatcham is able 'to fulfil its role within the District's Hierarchy of Centres' is fundamentally flawed.

Policy SP17 and its assessment in Appendix 4 of the Sustainability Appraisal either incorrectly assess or ignore the current level of provision of social infrastructure in Thatcham, and therefore cannot have assessed 'the area's objectively assessed need'. Policy SP17 is therefore not Positively Prepared. Policy SP17 also cannot be based on proportionate evidence, and is therefore not Justified.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

There needs to be a clear policy for the regeneration of Thatcham, and in particular its social infrastructure. This needs to include a schedule of what must be completed in advance of any further housing development or at specified stages of construction. This could be either a distinct part of Policy SP17 or a separate policy.

The Infrastructure Delivery Plan is not sufficiently robust for this purpose. It is described as a 'living document', and therefore any proposed infrastructure that it includes can 'die' at the discretion of the Council without any need for public consultation.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Separation of Settlements around Newbury and Thatcham
Section/paragraph:	9.13
Policy:	DM2
Appendix:	
Policies Map:	
Other:	Appropriate Countryside Designation Study

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

I welcome and support Policy DM2 Separation of Settlements around Newbury and Thatcham, and believe that it is generally sound. In particular, it supports the inclusion of the following separations between settlements in the Policy:

- c. Land between Newbury and Thatcham
- d. Land between Thatcham and Cold Ash
- e. Land between Thatcham and Ashmore Green

(I do not express a view on items a. and b. which relate to Newbury)

However, the omission of ‘land between Thatcham and Bucklebury’ from this Policy is inconsistent with the evidence. This specific aspect of the Policy is not based on proportionate evidence, and is therefore unsound.

The gaps that are defined in Policy DM2 are based on the Appropriate Countryside Designation Study (Arup, 21 November 2022), and particularly on the analysis in Appendix C – Parcel Proformas, which is summarised in Section 7 of the report.

In this analysis, the ‘Land between Thatcham and Bucklebury’ (parcel 6 in the study) ‘Land between Thatcham and Cold Ash’ (parcel 7 in the study) are given identical scores in the Green Belt Assessment. However the assessment summaries for the two sites are diametrically opposed:

For ‘Land between Thatcham and Cold Ash’ and ‘Land between Thatcham and Ashmore Green’:

“The land between Thatcham and Cold Ash and Thatcham and Ashmore Green (as shown on the map below) are essential gaps and on this basis are recommended for potential Green Gap designation.”

For ‘Land between Thatcham and Bucklebury’:

“As existing, this parcel provides a ‘wider gap’ between Thatcham and Upper Bucklebury where there may be scope for development but where the overall openness and the scale of the gap is important to restricting merging.

The proposed North East Thatcham strategic allocation is, however, included in this parcel. As noted in Chapter 4 the issue of the allocations proposed in the Emerging LPR is assumed to be potentially open. Given that a masterplan has yet to be produced for the North East Thatcham site which would identify which areas of it would be proposed as green infrastructure/green space, it is not possible to provide a further assessment of the gap at this time.”

The specification for the Appropriate Countryside Designation Study (which forms part of the tender documentation for this project) included the following considerations:

- The successful candidate will be expected to propose strategic designations and policy suggestions that ... anticipate changing circumstances over a long term period.
- The work should support other relevant policies contained in the LPR.
- High level masterplanning work for the North East Thatcham site (the Thatcham Strategic Growth Study) has already been produced and this can contribute to this work.

Therefore, the results of the study for ‘Land between Thatcham and Bucklebury’ were pre-determined by the ‘considerations’ for the study. The conclusions of the Appropriate Countryside Designation Study that led to the omission of the gap between Thatcham and Bucklebury from Policy DM2 are not based on proportionate evidence in the study. The description of the exclusion of this gap from Policy DM2 that is described in paragraph 9.13 is therefore unsound.

These considerations can be found in Section 4 of the specification, which is provided as Attachment 5 to these representations (obtained under Freedom of Information).

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

The following text should be added to policy DM2:

“f. Land between Thatcham and Bucklebury.”

The resulting consequential changes then need to be made to Policy SP17.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	West Berkshire Strategic Vision 2050
Section/paragraph:	1.26, 4.5
Policy:	
Appendix:	
Policies Map:	
Other:	The three reports by Icen Projects Ltd: - West Berkshire Vision – Local Plan Review; Baseline Report - Newbury & Thatcham – Socio-economic baseline & property market assessment - West Berkshire Strategic Vision 2050

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

The revision of the NPPF in July 2021 introduced a new requirement into paragraph 22:

“Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.”

West Berkshire Council concluded that this change required it to pause the Regulation 19 consultation of the Local Plan in order for it to undertake additional work to support this new requirement.

West Berkshire Council then commissioned Icen Projects Ltd to undertake this work. The specification for this project describes it as follows (the full specification is Attachment 4 to my representations):

“West Berkshire District Council (WBDC) wishes to procure consultancy services to deliver focussed visioning work for two settlements to support the Local Plan Review (LPR) 2021 - 2037; Newbury where the strategic site Sandleford (circa 1,500 dwellings) is proposed and Thatcham where the strategic site, North East Thatcham (circa 2,500 dwellings) is proposed.

The visioning will support the spatial strategy for the West Berkshire LPR.”

The three reports by Icen Projects form part of the Evidence Base for the Local Plan Review:

- West Berkshire Vision – Local Plan Review; Baseline Report
- Newbury & Thatcham – Socio-economic baseline & property market assessment
- West Berkshire Strategic Vision 2050 (though this is missing its Appendix 1 and 2)

The two baseline reports contained significant errors and shortcomings. I spent a considerable time reviewing these documents on behalf of the Town Council, which then provided detailed corrections and comments to Icen (this is provided as Attachment 9 to the Town Council’s representations). However, neither document has been updated. The most obvious error is that the statement “Thatcham is an historic market town approximately 3 miles west of Newbury” (rather than east). This is such an obvious error that it suggests that these documents were not properly reviewed either by Icen or West Berkshire Council.

Since the report was commissioned, the definition of the number of dwellings for North East Thatcham has changed, but it is clear that it is still a significant extension to an existing town (as also is Sandleford Park). The inclusion of these reports by West Berkshire Council in the evidence base indicates that it believes that the new provision in paragraph 22 of NPPF is still applicable.

However, there is no mention whatsoever of this visioning work in the Local Plan Review Proposed Submission (January 2023). Nothing in this document looks beyond the end of the next plan period in 2039. Paragraph 1.26 explicitly states this:

“1.26 The LPR includes a vision, strategic objectives and a set of policies which together provide a policy framework for assessing planning applications and guiding development across West Berkshire. It is set out as follows:

... Our Vision of what West Berkshire will look like in 2039...”

The Icen reports are also not mentioned in Paragraph 4.5 “Key pieces of evidence” for the “Development Strategy: Our place based approach” – i.e. the spatial strategy.

It therefore appears that the Vision 2050 study was commissioned as a ‘tick-box exercise’, to give the token appearance of compliance with NPPF Paragraph 22, rather than to provide a basis for the development of policies within the plan.

Therefore, Local Plan Review Proposed Submission (January 2023) cannot as a whole be in compliance with Paragraph 22 of NPPF.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

Paragraph 22 requires that policies should be set within a vision that looks further ahead (at least 30 years) and this 'setting' is totally absent from the Local Plan Review Proposed Submission (January 2023).

To remedy this requires a review of many of the policies within the document, which is beyond what can be addressed through modification at examination.

It is clear that the Local Plan is therefore "not ready for independent examination". Therefore, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004, West Berkshire Council must not submit it to the Secretary of State for examination.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Settlement boundary for North East Thatcham
Section/paragraph:	6.59 and map on page 65
Policy:	SP17
Appendix:	Appendix 2: Settlement Boundary Review
Policies Map:	Settlement boundary for SP17
Other:	Settlement Boundary Review (SBR): December 2022 Landscape Capacity Assessment of Potential Housing Sites within and adjacent to the North Wessex Downs Area of Outstanding Natural Beauty, West Berkshire: REPORT THATCHAM (August 2015)

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

Appendix 2 of the draft Local Plan defines Settlement Boundaries as follows: “They identify the main built up area of a settlement within which development is considered acceptable in principle, subject to other policy considerations.”

This definition creates a presumption in favour of development unless this would conflict with policies within the Local Plan.

The area for housing will in any case need to be reduced from what was envisaged in the Strategic Growth Study, in order to deliver the housing densities defined in the West Berkshire Density Pattern Book. The settlement boundary needs to reflect this.

Appendix 2 states that “Boundaries will exclude: Recreational or amenity open space which extends into the countryside or primarily relates to the countryside in form and nature. This includes designated Local Green Space.” The map on page 65 shows three areas of “Country Park / Public Open Space” adjacent to the ‘site boundary’. These are clearly ‘recreational or amenity open space’ – so must be outside the settlement boundary. However, there is no supporting evidence to support their location and size – so their position on the map must be considered at present to be indicative.

Paragraph 6.58 of the draft Local Plan states: “The new revised settlement boundary will be defined following the studies and work identified in the policy at the application stage.”

The ‘red line’ boundary map of the map on page 65 of the draft Local Plan is described as the “North East Thatcham Site Boundary” – i.e. the boundary of site THA20. However, this same boundary has been incorrectly transferred to the Policies Map and shown in map 46: Thatcham E of the Settlement Boundary Review paper as the settlement boundary.

The ‘Landscape Capacity Assessment of Potential Housing Sites within and adjacent to the North Wessex Downs Area of Outstanding Natural Beauty, West Berkshire: Report Thatcham (August 2015)’ by Kirkham Landscape Planning Ltd provides an assessment for site THA11, which is adjacent to the settlement boundary of Thatcham to its north. The existing housing adjacent to this site extends to a higher elevation AOD than the nearest housing to SP17.

This report concludes for THA11:

“It is recommended that only part of the site should be pursued further as a potential housing site ... to conserve and enhance the AONB and to maintain the character of the land north of Thatcham:

- The potential development area is ... limited to land on the lower slopes lying below the 95m AOD contour”

West Berkshire Council has commissioned studies of landscape capacity for a substantial part of this site in relation to a planning appeal for a previous application for Siege Cross. West Berkshire Council’s expert witness on landscape was Bettina Kirkham DipTP BLD CMLI. The summary of her Statement of Case to the appeal inquiry provides the following conclusion:

“The site contains pasture farmland, within well-established woodlands, and mature hedgerows. It is also on rising exposed ground which forms the southern flank of the open countryside hillside ridge of the AONB above Thatcham. Extending from 75m AOD to 105m AOD, the proposed development area lies well above the local limit of development of 90m AOD and above the limit within eastern Thatcham of 95m AOD. The proposed development on the appeal site would therefore be an extensive arm into this open elevated and prominent landscape. It is clearly not a logical extension to Thatcham as it will intrude into an overwhelmingly rural landscape, which forms an intrinsic part of the wider landscape between the AONB and Thatcham, well beyond a clearly defined and established landscape boundary to the settlement.”

This document is provided as Attachment 2 to my representations (paragraph S.12 is copied above).

Therefore, the available evidence on the landscape character and capacity for the North East Thatcham site indicates that development should not extend above the 95m AOD contour, and probably not above the 90m AOD contour.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

The term "settlement boundary" is not used in legislation or Government guidance on planning. There is therefore no requirement for a site allocation in a Local Plan to fall within a settlement boundary. It is clearly premature to specify any new settlement plan, and incompatible with paragraph 6.58 of the draft Local Plan.

The map on page 65 of the draft Local Plan provides a way forward, because it shows the boundary of the site, rather than the settlement boundary:

- (i) Paragraph 6.58 needs to be modified as follows: "The new revised settlement boundary will be defined within the 'North East Thatcham Site Boundary in the accompanying map.' following the studies and work identified in the policy for a development of at most approximately 1,500 dwellings at the application stage. The settlement boundary will exclude any country park or public open space on the edge of the development". (*added text is underlined*)
- (ii) The settlement boundary on the Policies Map needs to be restored to its current position – along Bath Road and Floral Way, in accordance with Paragraph 6.58 of the draft Local Plan.
- (iii) A revision of the document 'Settlement Boundary Review (SBR) December 2022' needs to be published, in which 'Map 46: Thatcham E' is amended to show the settlement boundary in its current position – along Bath Road and Floral Way.

If however, the Examination concludes that it is appropriate to modify the settlement boundary for North East Thatcham at this time, the extended settlement boundary should extend no further than the 95m AOD contour, in line with the recommendations of the "Landscape Capacity Assessment of Potential Housing Sites within and adjacent to the North Wessex Downs Area of Outstanding Natural Beauty, West Berkshire: Report Thatcham (August 2015) and the statements of West Berkshire Council's expert witness for landscape at the Planning Appeal for the application for Siege Cross.

If, however, the Examination concludes that it is appropriate to extend the settlement boundary for North East Thatcham at this stage (which I would not support, because this needs further analysis), the new settlement boundary should certainly not extend above the 95m contour, and probably not above the 90m contour, in accordance with the best available evidence on landscape.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Level crossing
Section/paragraph:	
Policy:	SP17
Appendix:	
Policies Map:	
Other:	West Berkshire Strategic Transport Model – Local Plan Forecasting Report West Berkshire Local Plan Review Phase 2 Transport Assessment Report (July 2021)

1. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

As a resident of Thatcham, the location in the town where I experience the most serious congestion is the level crossing at Thatcham station. At times, the queue can build to more than half an hour in duration, when there is an unfortunate combination of train movements. The current situation is unacceptable, and any increase in delays is completely unacceptable.

The WSP study does not build this into its model. The West Berkshire Local Plan Review Phase 2 Transport Assessment Report merely states “However, the model also indicates that these queues clear when the level crossing gates are open”, which is an obvious but irrelevant statement.

It is clear that any increase in housing in Thatcham will result in a corresponding increase in traffic over the level crossing, especially if those homes are located at the east of the town.

The increase in population and Government policies to encourage travel by public transport are likely to increase the frequency of trains stopping at the station. This will increase the delays, because the level crossing barriers need to be down for longer for a train that stops than for one that passes at speed.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

The future Strategic Transport Assessment should take into account the delays due to the level crossing at Thatcham station, and the traffic studies necessary for this should be carried out. The results of the Strategic Transport Assessment should then be considered in the Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA), prior to the submission of the draft Local Plan.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Exclusion of Kennet Centre from policy SP13
Section/paragraph:	
Policy:	SP13
Appendix:	
Policies Map:	
Other:	Local Plan Review 2020 -2037: Emerging Draft (December 2020) HELAA

2. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

The Regulation 18 Emerging Draft Local Plan included a Policy RSA1 for a non-strategic site

allocation for the Kennet Centre Newbury:

“Policy RSA 1

The Kennet Centre, Newbury (Site Ref: NEW3)

The site, as identified on the indicative map, is proposed to be allocated for a mixed-use development that includes approximately 250 dwellings. The residential aspect would complement the existing uses on the site.

The site occupies a highly sustainable location and may present opportunities for higher densities than estimated using the West Berkshire Density Pattern Book, as much will depend on the mixture of uses and design of the development.

Detailed policy criteria will be developed to highlight specific mitigation measures and infrastructure requirements, and will include the need for the design and scale of development to complement existing buildings and the Newbury Conservation Area.”

This site allocation was included in its Policy SP13 “Sites allocated for residential and mixed-use development in Newbury and Thatcham”.

However, this non-strategic allocation has been excluded from the Regulation 19 draft Local Plan.

The Regulation 18 representations (contained in the Consultation Statement) on this policy and site allocation were generally supportive, provided that it is at an appropriate scale. West Berkshire Council gave the following responses to these representations:

“It is no longer proposed to allocate the Kennet Centre as the site is located within the settlement boundary. Settlement boundaries are a long established planning tool. They identify the main built up area of a settlement within which development is considered acceptable in principle, subject to other policy considerations. While allowing for development, settlement boundaries protect the character of a settlement and prevent unrestricted growth into the countryside. They create a level of certainty about whether or not the principle of development is likely to be acceptable. The LPR will not include allocations within settlement boundaries.”

The logic of this response is unclear. There are many places within settlement boundaries that are not suitable for development, such as parks and open spaces. If the purpose of the Local Plan is to “create a level of certainty about whether or not the principle of development is likely to be acceptable”, then it is illogical for the Plan not to identify those locations where the principle

“The site will now be removed from the LPR due to flood risk. As the site lies within the settlement boundary there is already a presumption in favour of development as set out in Policy SP1.

The site was originally promoted as part of the ‘call for sites’ for the Housing and Economic Land Availability Assessment (HELAA) in 2017. The promoter at the time indicated that there was potential to accommodate residential and/or a hotel to complement the existing uses on the site.

The Level 1 Strategic Flood Risk Assessment (SFRA) indicated that 40% of the site was within Flood Zone 1 (low risk of flooding), with 60% within Flood Zone 2 (medium risk of flooding). The Site Selection Background Paper for the emerging draft (Regulation 18) Local Plan Review (LPR) therefore advised that any residential development should be located within the southern area of the site which falls within Flood Zone 1.

Since the Regulation 18 consultation on the LPR, the site has changed ownership and alternative proposals have been put forward by the promoter. These proposals seek a comprehensive redevelopment with residential uses spread across much of the site.”

The first paragraph of this response is contradictory: Policy SP1 gives a presumption in favour of development but, if there is a flood risk (which I question below), then Policy SP6 would give a presumption against development.

Since the Regulation 18 consultation, a detailed planning application has been made for this site, with the name of ‘Eagle Quarter’. This application provided retail space on the ground floor, with housing at higher levels. This application was refused on grounds of over-development, but any

future application is likely to devote the ground floor to retail and business units.

Paragraph 85 of NPPF states:

“The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

And Paragraph 119 states:

“Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.”

The Kennet Centre clearly falls into the definition of “previously developed land” in the glossary of NPPF.

Paragraphs 159 and 160 of NPPF state:

“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources.”

If the dwellings on this site are restricted to the first floor and above, and the access to these dwellings are limited to locations within the 40% of the site in Flood Zone 1, then the residential element of the development is not at risk of flooding, and this development cannot therefore be considered as ‘inappropriate. A sequential and exception test would therefore conclude that the residential aspect of the development is acceptable.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

Policy RSA1 should be restored to the draft Local Plan, with appropriate conditions added to ensure that the residential element is not at risk of flooding. It should then be included in Policy SP13.

The number of additional homes defined in Policy SP12 should be adjusted accordingly.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	HELAA sites for previously developed land
Section/paragraph:	6.19 – 6.20
Policy:	SP12
Appendix:	
Policies Map:	
Other:	West Berkshire Council Housing and Economic Land Availability Assessment: January 2023 Update

3. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

Paragraph 119 of NPPF states:

“Strategic policies should set out a clear strategy for accommodating objectively assessed needs,

in a way that makes as much use as possible of previously-developed or 'brownfield' land.”

Paragraph 6.20 of the draft Local Plan states:

“Any future windfall sites of 10 units or more are not included in the calculations of future supply, which introduces flexibility and means that any allocations of medium or large sites within settlement boundaries will not result in any double-counting.”

The availability of larger sites will vary. The cut-off of 10 units is arbitrary, and not based on proportionate evidence for each site. It also appears to exclude such sites from inclusion in the brownfield register, or from being included in the Local Plan as a non-strategic policy.

This approach to calculation of future supply will artificially reduce the estimation of the contribution that will be made from previously-developed or 'brownfield' land, and therefore artificially inflate the estimated requirement for homes on developments on greenfield sites.

This approach will skew planning decisions towards development on greenfield sites, and away from brownfield sites – especially as the brownfield sites will not be identified through non-strategic policies in the local plan, or perhaps even by not being included in the brownfield register. This is contrary to the policies of NPPF.

One site that appears to have suffered from this flawed approach is THA21; Newbury Leisure Park, Lower Way, Thatcham.

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

The assessment of availability of sites on previously developed land should be assessed individually, rather than using an arbitrary upper limit of ten units.

Your name	Simon Pike
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Please indicate which part of the Local Plan Review this representation relates to:

Issue:	Multiple versions of draft Local Plan.
Section/paragraph:	1.2
Policy:	
Appendix:	
Policies Map:	
Other:	

4. Legally Compliant

Do you consider the Local Plan Review is legally compliant?

Yes

No

Please give reasons for your answer:

N/A

2. Soundness

Do you consider the Local Plan Review is sound?

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:

During the preparation of representations, I have discovered that West Berkshire Council have

published several versions of the draft Local Plan during January 2023. These have the same title 'West Berkshire Local Plan Review 2022-2039 Proposed Submission January 2023' and cover page, which can only be distinguished by the page header. The most recent that I am aware has the header "West Berkshire Council: consultation version 20th January 2023". Potential respondents were not informed of this, either on the web page where the document could be downloaded or by email.

I am aware of material differences between the versions in the first paragraph of policy SP17 and in relation to its number of dwellings – but there may be others.

Therefore, if the Examination finds representations that do not accord with the wording of the draft Local Plan that it receives, this might be because a respondent has inadvertently used an earlier version of the document (but which was still represented at the time of its publication as being final).

3. Complies with the Duty to Co-operate

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

Yes

No

Please give reasons for your answer:

N/A

4. Proposed Changes

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

For the information of the Examination only.

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:

If it would assist the examination.

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	✓
The publication of the report of the Inspector appointed to carry out the examination	✓
The adoption of the Local Plan Review	✓

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

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

Subject: RE: Freedom of Information request

From: foi <foi@westberks.gov.uk>

Date: 01/02/2023, 15:00

To: Simon Pike <[REDACTED]>

Fol/2022/1102-Pike

Dear Mr Pike,

I write further to your request under the Freedom of Information Act 2000. The Council can confirm your request below.

In accordance with the Freedom of Information Act and Environmental Information Regulations, I am requesting the following information in relation to the 'Landscape Sensitivity and Capacity Study for Land North East of Thatcham' dated 17.09.2021, which is part of the evidence base for the local plan review:

- 1) Information relating to the procurement of this study, including the specification, the successful tender response and the value of the contract; or if the study was not procured by competitive tender, the equivalent documentation.

West Berkshire Council did not commission the Landscape Sensitivity and Capacity Study from Lloydbore. As paragraph 1.1 of the executive summary on page two of this report states *“This report summarises a landscape sensitivity and capacity study undertaken on behalf of David Lock Associates, planning consultants appointed to West Berkshire Council, in relation to land located to the north east of Thatcham.” However, attached is an email that seeks clarification from Lloydbore of David Lock Associates seeking clarification on the landscape work (Thatcham)*

- 2) Any correspondence (including email) or records of meetings between West Berkshire Council and David Lock Associates or Lloyd Bore Ltd that relates to the purpose, scope or expected results or conclusions of the study.

There was one email of correspondence with Lloydbore attached (North East Thatcham)

- 2) Any information in the possession of West Berkshire Council relating to the relationship between David Lock Associates or Lloyd Bore Ltd and any correspondence between them relating to the purpose, scope or expected results or conclusions of the study.

There are no emails between West Berkshire relating to the relationship between David Lock Associates and Lloyd Bore Ltd other than those attached.

- 3) The 'West Berkshire Landscape Sensitivity and Capacity template' that is referred to in paragraph 1.3 of the report.

As explained in paragraph 2.6 of the Landscape Sensitivity and Capacity Study, this is included in Appendix 1

While the study itself would fall under the EIR, I believe that the first request falls outside the scope of Regulation 2(1) OF EIR and should therefore be processed under FoI. The second and third requests may fall under FoI or EIR, depending on the nature of the communication. The fourth request should be under FoI, because a template cannot of itself contain environmental information.

If you are unhappy with the way your request has been handled or the outcome of your request, you may ask for an internal review. You should contact The FoI Reviewing Officer, Legal & Democratic Services, Council Offices, Market Street, Newbury RG14 5LD, email Fol@westberks.gov.uk, within 40 working days, if you wish to request a review.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: - Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

[REDACTED]

FOI TEAM

Legal and Democratic Services, West Berkshire District Council Market Street Newbury RG14 5LD

foi@westberks.gov.uk

www.westberks.gov.uk

From: Simon Pike [mailto:[REDACTED]]

Sent: 13 December 2022 10:38

To: foi <foi@westberks.gov.uk>

Subject: Freedom of Information request

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear sir,

In accordance with the Freedom of Information Act and Environmental Information Regulations, I am requesting the following information in relation to the 'Landscape Sensitivity and Capacity Study for Land North East of Thatcham' dated 17.09.2021, which is part of the evidence base for the local plan review:

- 1) Information relating to the procurement of this study, including the specification, the successful tender response and the value of the contract; or if the study was not procured by competitive tender, the equivalent documentation.
- 2) Any correspondence (including email) or records of meetings between West Berkshire Council and David Lock Associates or Lloyd Bore Ltd that relates to the purpose, scope or expected results or conclusions of the study.
- 3) Any information in the possession of West Berkshire Council relating to the relationship between David Lock Associates or Lloyd Bore Ltd and any correspondence between them relating to the purpose, scope or expected results or conclusions of the study.
- 4) The 'West Berkshire Landscape Sensitivity and Capacity template' that is referred to in paragraph 1.3 of the report.

While the study itself would fall under the EIR, I believe that the first request falls outside the scope of Regulation 2(1) OF EIR and should therefore be processed under Fol. The second and third requests may fall under Fol or EIR, depending on the nature of the communication. The fourth request should be under Fol, because a template cannot of itself contain environmental information.

Yours sincerely,

Simon Pike

[REDACTED]

This email and any attachments to it may be confidential and are intended solely for the use of the individual to whom it is addressed. Any views or opinions expressed may not necessarily represent those of West Berkshire Council. If you are not the intended recipient of this email, you must neither take any action based upon its contents, nor copy or show it to anyone. Please contact the sender if you believe you have received this e-mail in error. All communication sent to or from West Berkshire Council may be subject to recording and or monitoring in accordance with UK legislation, are subject to the requirements of the Freedom of Information Act 2000 and may therefore be disclosed to a third party on request.

[REDACTED]

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APPEAL BY: A2DOMINION DEVELOPMENTS LTD

RE:

**OUTLINE APPLICATION FOR PHASED DEVELOPMENT OF
UP TO 495 DWELLINGS; UP TO 250SQ.M OF USE CLASS DI;
A NEW PRIMARY SCHOOL; PROPOSED ACCESS INTO SITE;
ACCOMPANYING ACCESSES; LANDSCAPED OPEN SPACE;
AND ASSOCIATED WORKS**

LAND AT SIEGE CROSS, THATCHAM

INSPECTORATE REF: APP/W0340/W/15/3141449

COUNCIL REF: 15/00296/OUTMAJ

SUMMARY

Landscape and Visual Proof of Evidence by Bettina Kirkham DipTP BLD CMLI

On behalf of West Berkshire Council

OCTOBER 2016

SUMMARY OF LANDSCAPE AND VISUAL EVIDENCE

- S.1 My name is Bettina Kirkham. I hold a Bachelors Degree in Landscape Architecture and a Diploma in Town Planning and I have been a Chartered Member of the Landscape Institute since 1982. I am the Director of Kirkham Landscape Planning Ltd (KLPL). I was appointed as landscape expert witness on behalf of West Berkshire Council in February 2016 to consider the landscape and visual aspects of this appeal. I also advised West Berkshire Council on the landscape and visual implications of the application (15/00296/OUTMAJ) in 2015.
- S.2 My evidence addresses the landscape and visual impacts of the proposed development on the appeal site, on the wider landscape, on the landscape setting of Thatcham, on the setting of the North Wessex Downs AONB and on local visual amenity in support of the Council's reasons for refusal 3.
- S.3 The appeal site comprises a large site of 34.59ha north of Thatcham. The site lies outside the settlement boundary of Thatcham and within open countryside. It is not within a national landscape designation but lies within the setting of, the North Wessex Downs Area of Outstanding Natural Beauty, 500m to the north of the site. West Berkshire Council does not have a policy of local landscape designations therefore the site is part of the 'wider countryside' (NPPG).
- S.4 Siege Cross Farm, a historic settlement of medium-high historic landscape character sensitivity with two Grade II listed buildings, the barn and cart shed, lies in the centre of the appeal site, set within the open countryside of the appeal site. Two Ancient Woodlands, Long Grove Copse and Big Gully, lie adjacent to the site.
- S.5 In Section 3, I set out the national and local plan policies against which I have considered the proposed application. I also set out how the proposed site has not been allocated at any time by WBC through the SHLAA process. Finally I set out the North Wessex Downs AONB's objections to the proposed development, which I support.

- S.6 My Section 4 describes the nature of the proposed outline scheme for up to 495 dwellings (11.5 to 13m high) and up to 250sqm of community use floor space on 17.2 ha; a new primary school of up to 2 forms of entry on 2.10 ha.; with an area of 14.94 ha. for open space. I also describe the effect on the vegetation as a result of the proposed access off floral Way and north of the A4. The proposals are supported by landscape mitigation in Landscape and Biodiversity Management Strategy Plan Barton Willmore 20590/L12 /A. I have examined these in Section 7 to assess how effective the proposed landscape mitigation may be.
- S.7 In Section 5, I undertake a comprehensive and in depth review of the attributes and character of the site, and its landscape and townscape setting and clearly identified the sensitivity of the landscape to development. As specified in GLVIA3, the sensitivity of this rural landscape is not determined simply by reference to landscape designations but by the value attached to specific features in the landscape in the relevant landscape character assessments and other relevant documents such as the North Wessex Downs AONB Management Plan. In this case the attributes of the site and its immediate setting are recognised as key features which should be conserved and enhanced in order to maintain the local character and distinctiveness of the landscape and the rural setting to Thatcham and the North Wessex Downs AONB.
- S.8 My Section 6 sets out the range of views to the site from public rights of way, heritage assets, the surrounding road network and residential property. Section 6 continues my comprehensive in depth review of the appeal site, expanding on the Barton Willmore representative photograph locations by adding a further 6 viewpoints, all from public vantage points, representing a wide sphere of negative visual influence of the proposed development.
- S.9 In Section 7, I set out in detail a thorough assessment, in accordance with the Landscape Institute's guidance GLVIA3, of the significant adverse effects of the proposed development on the value of the landscape, on the role and intrinsic beauty and character of the landscape and on the local views of open countryside and the setting of heritage assets.
- S.10 The appeal site lies outside of the settlement of Thatcham and is isolated from the town by the established and well defined boundary along the A4 and

Floral Way comprising the roads and extensive mature tree and hedgerow vegetation either side of these roads. The site is rural in character and contains limited built form which is in keeping with an agricultural landscape. The site makes an important contribution to the setting of the AONB and to the setting of both ecological and heritage designations (Long Grove Copse, Big Gully and Siege Cross Farm).

- S.11 The site is not land of the 'least environmental value' and it is neither previously developed land nor degraded land. On the contrary it is a 'valued' landscape within the meaning of NPPF 109 which should be protected and enhanced. It also is the best and most versatile agricultural land which provides acknowledged landscape benefits. The proposed development would result in significant and demonstrable harm to a valued landscape and to the intrinsic beauty and character of this landscape contrary to both paras 17 (bullet 5) and 109; and to para 112. For this reason the proposed development is not environmentally sustainable contrary to NPPF para 7.
- S.12 The site contains pasture farmland, within well-established woodlands, and mature hedgerows. It is also on rising exposed ground which forms the southern flank of the open countryside hillside ridge of the AONB above Thatcham. Extending from 75m AOD to 105m AOD, the proposed development area lies well above the local limit of development of 90m AOD and above the limit within eastern Thatcham of 95m AOD. The proposed development on the appeal site would therefore be an extensive arm into this open elevated and prominent landscape. It is clearly not a logical extension to Thatcham as it will intrude into an overwhelmingly rural landscape, which forms an intrinsic part of the wider landscape between the AONB and Thatcham, well beyond a clearly defined and established landscape boundary to the settlement.
- S.13 The appeal site is currently productive farmland under pasture and the development area lies on Grade 2 and Grade 3a Agricultural Land. Grade 2 and Grade 3a agricultural land is worth protecting wherever it occurs and its presence contributes to the intrinsic value of this landscape as a healthy and important agricultural asset. The presence of the landing strip east of Siege Cross Farm has not compromised the agricultural value, as it remains mown improved grassland.

- S.14 Historic landscape forms an integral part of the value of the landscape. This is separate from, and in addition to, the heritage significance of any heritage assets. The value of the landscape is enhanced by the presence of historic assets in this case two Grade II listed buildings, the historic settlement of Siege Cross Farm (dating from before the early 1761 Rocque Map) and the surviving agricultural landscape around the farm. Despite the fact that the fields on the site have been modified and are of a medium-low historic landscape character (HLC) sensitivity, they lie within and are contained by many features that have survived from at least the early 18th C including Siege Cross Farm (medium-high HLC sensitivity), and woodland and surrounding fields (high HLC sensitivity).
- S.15 The appeal site has been considered by the Council through the Local Plan process. As part of this process I undertook two studies: 1) An Integrated Landscape Sensitivity Approach to Settlement Expansion within West Berkshire April 2009; and 2) Landscape Sensitivity Assessment of Potential Strategic Development Sites May 2009. The former identified a larger area LLCA14F including the appeal site as having a medium sensitivity to the settlement expansion of Thatcham but it is not the least sensitive area around Thatcham. Of 11 LLCAs around Thatcham, six are less sensitive than LLCA14F and more suitable in landscape terms. Moreover the appeal site itself affects a significant number of the key landscape sensitivities of LLCA14F.
- S.16 The later study examined a smaller part of LLCA14F known as Area 9. This was also much larger than the appeal site and the study concluded that only a limited area of development might be acceptable on the lower parts of Area 9, close to existing modern development north of the A4 ie the cemetery to the east of the appeal site. No land in Area 9 is currently under consideration as a housing allocation under the Local Plan process.
- S.17 In Section 7 I demonstrate the adverse effect of the development on the physical and visual setting and character of the site environment. The proposed landscape mitigation goes some way to mitigate some of the visual impacts but cannot overcome the impact of the location, extent and mass and scale of the development, nor the impact on many views. It would not replace the loss of 29% of the mature tree stock for a considerable length of time (20 years plus) and would not mitigate the effect of urbanising the site. As a

consequence, the development would result in a wide range of long term major and moderate-major adverse landscape and visual effects and several additional moderate adverse effects. On this basis I conclude that the proposed development on the appeal site would result in significant and demonstrable harm to a valued landscape and to the intrinsic beauty and character of that landscape by:

- Harming the character, value and visual appearance of the site as part of the open countryside;
- Harming the landscape and visual setting of the historic Siege Cross Farm and its Grade II listed buildings;
- Harming the setting of the North Wessex Downs Area of Outstanding Natural Beauty;
- Harming the landscape value of the grade 2 and grade 3a agricultural land;
- Extending development up to 105m AOD well above the current limit of development at Thatcham onto an exposed and prominent slope lying below the ridgeline of the AONB;
- Introducing built form that would be 11.5m to 13m in height over approximately 20ha. of open land and wholly out of keeping with the character of nearby Thatcham or the settlement pattern beyond the town;
- Undermining the dominant valley character of Thatcham by extending up the middle slopes of the Kennet Valley and eroding the landscape separation of Thatcham and Upper Bucklebury;
- Urbanising the special qualities of LLCA14F; and
- Harming views of the open countryside on the appeal site from a number of sensitive viewpoints and in particular views to the site and the wooded ridge of the AONB from the Greenham escarpment to the south.

S.18 I fully support the Council's reason for refusal 3 and conclude in Section 9 that the proposed development is therefore contrary to NPPF paras 7, 17 (bullets 5 and 7), 109, 110 and 112; NPPG; and Local Plan landscape policies.

S.19 In conclusion, the Inspector and Secretary of State are respectfully requested to dismiss the appeal on unacceptable landscape and visual impact grounds.

Questions and Answers

Executive

Thursday 12th January, 2023

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format or translation, please contact Sadie Owen on telephone (01635) 519052.



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Public Questions as specified in the Council's Procedure Rules of the Constitution

Item (A)

Executive Meeting on 12 January 2023

(A) Question submitted to the Portfolio Holder for Planning, Transport and Countryside by Simon Pike:

“The current Local Plan, adopted by the Council in 2012, includes an 'Area Delivery Plan Policy for Thatcham'. This states, inter alia, that the town centre will be regenerated with the redevelopment of the Kingsland Centre driving this improvement, that Thatcham's services and facilities will be improved, and that the range of leisure facilities within Thatcham will be expanded. What aspects of these objectives has the Council delivered to date, and what more does it expect to deliver in the remainder of the plan period?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Thank you for your question.

Back in 2010, the owners of the Kingsland Centre had stated that they would redevelop the facility, however since then the economic situation has changed and this project has not progressed. We understand that refurbishment proposals have been discussed with Thatcham Town Council and we look forward to hearing more about these during the development of the Town Centre Strategy for Thatcham.

With regards to the range of leisure facilities available within Thatcham, this Council has invested as follows

- Henwick Sports Pavilion over £75,000
- Thatcham Library - New Build Build a new and larger library in Thatcham as outlined in the council's Infrastructure Development Plan (2022-27). £1,200,000
- Thatcham Nature Discovery Completely new interpretation space with exhibits to tell visitors about the fascinating history and wildlife of the Kennet valley, the canal and reed beds £125,000
- Thatcham Memorial Foundation: Jubilee Playground - installation of playground and recreational equipment £75,000.00

As for the future, I would refer you to the Infrastructure Funding Statement, the Leisure Strategy and the Council Strategy all of which are available on line at the Councils web site.

Public Questions as specified in the Council's Procedure Rules of the Constitution

Item (B)

Executive Meeting on 12 January 2023

(B) Question submitted to the Portfolio Holder for Finance and Economic Development by John Gotelee:

“Executive members have often expressed faith in the councils drainage officers. Why are more expensive SUDs Consultants being contracted to advise on the LRIE?”

The Portfolio Holder for Finance and Economic Development answered:

The Council has a role as landowner of the LRIE and also has a role as local planning authority which would hear any planning application bought forward. The Council's drainage officers might be required to comment on such an application and as such that could lead to a perceived conflict of interest if those same officers were to comment on an application, in whose preparation they had been involved.

The Portfolio Holder asked: *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

John Gotelee asked the following supplementary question:

“There is a pre-supposition by bringing in consultants it is recognised that the drainage is going to cause a lot of problems on LRIE. Using your own figures from the Addison Young Environmental Report, there is a suggestion that 2, 3 or 4 acres will be needed for infrastructure. Where will that come from?”

The Portfolio Holder for Finance and Economic Development answered:

The drainage requirements for any application bought forward will have to be dealt with as part of that application as and when it comes to pass.

Public Questions as specified in the Council's Procedure Rules of the Constitution

Item (C)

Executive Meeting on 12 January 2023

(C) Question submitted to the Portfolio Holder for Finance and Economic Development by Alan Pearce:

"The Executive decision EX4219 London Road Industrial Estate Project Refresh 6.11 The delivery Strategy is to redevelop the depot site by the end of 2024 and at the same time adopt a Supplementary Planning Document (SPD) for the LRIE. Please would the Council explain the logic in redeveloping the depot site without an SPD, when there may be requirement to redevelop the site in a certain way, for instance to provide a holistic drainage strategy/system for the area to reduce surface water flooding downstream?"

The Portfolio Holder for Finance and Economic Development answered:

Any Supplementary Planning Document will be developed in partnership with stakeholders, with adoption by end 2024, subject to statutory planning processes which include the Local Plan Review. There is no reason why planning applications should not come forward on any sites within LRIE before then, since appropriate assessment of flood risk is carried out as part of the statutory planning process by the Local Planning Authority.

The Portfolio Holder asked: *"Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?"*

Alan Pearce asked the following supplementary question:

"I don't quite understand why you wouldn't do an SPD first as a baseline. Perhaps you could clarify, my understanding is that if you can't develop the London Road on a piecemeal basis it will have to go back to the Executive for a new refresh. Is the refresh policy Council policy at the moment?"

The Portfolio Holder for Finance and Economic Development answered:

I can confirm that the Refresh policy decided in June last year remains current policy. If not possible to develop on a plot-by-plot basis, we would need to take advice on what would need to be done as and when it happened, but I wouldn't like to say for now.

Public Questions as specified in the Council's Procedure Rules of the Constitution

Item (E)	Executive Meeting on 12 January 2023
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(E) Question submitted to the Portfolio Holder for Planning, Transport and Countryside by Simon Pike:

“What were the costs to the Council and the value of Government grants for the installation, the replacement and the subsequent removal of Orcas along the A4 through Thatcham? Will any of the grant funding now need to be repaid?”

The Portfolio Holder for Planning, Transport and Countryside answered:

The Orcas along the A4 through Thatcham were introduced on a pilot basis in August 2020, using Emergency Active Travel (EATF) funding allocated by the Department for Transport (DfT) during the pandemic. The purpose of this funding was to promote and enable active travel whilst roads were relatively quiet and residents avoided public transport due to the risk of transmission.

The total cost of installation and removal is £61,371. This includes work to refresh the lining along the A4 which is due shortly following on from removal of the Orcas.

As a result of feedback received from road users and concerns in respect of the need for fairly intensive maintenance of the Orcas, the Council made the DfT aware that we were reviewing the future of the Orcas on 11 July 2022, and offered DfT officials the chance to comment.

The DfT raised no objections to the removal of the Orcas and as such we do not anticipate that the grant funding for this pilot scheme will need to be re-paid.”

It is our view that the Orcas served their purpose to visibly promote active travel.

Public Questions as specified in the Council's Procedure Rules of the Constitution

Item (F)

Executive Meeting on 12 January 2023

(F) Question submitted to the Portfolio Holder for Planning, Transport and Countryside by John Gotelee:

“Approximately one quarter of 322 English local planning authorities have either adopted or are preparing BNG requirements in their local plans. Is West Berkshire Council one of them?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Thank you for your question.

Yes, the Local Plan Review which is being consulted on at the moment has proposed policy: SP11 Biodiversity and Geodiversity.

Public Questions as specified in the Council's Procedure Rules of the Constitution

Item (H)

Executive Meeting on 12 January 2023

(H) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Simon Pike:

"The Area Delivery Plan Policy for Thatcham states that "The range of leisure facilities within Thatcham will be expanded, utilising those at the existing Newbury Leisure Park on Lower Way". Has the council provided any funding or other support to support this expansion, and what range of leisure opportunities are now available at the Leisure Park?"

The Portfolio Holder for Housing, Leisure and Culture answered:

Mr. Pike. Thank you for your question.

The Council has made, and continues to make significant investment into the leisure and cultural facilities in Thatcham. Specifically:-

- *Henwick Sports Pavilion over £75,000. A masterplan exercise will be commissioned to examine ways of getting maximum usage out of the overall site and this Council has already indicated a willingness to provide financial support within its Playing Pitch Strategy.*
- *Thatcham Library – An interim refurbishment including a new entrance and an accessible WC is due to commence imminently at a cost of over £60,000 once a contractor has been appointed. The Thatcham Masterplan, currently underway is expected to include the provision of a new and larger library in Thatcham as outlined in the council's Infrastructure Development Plan (2022-27) at an estimated cost of £1,200,000*
- *Thatcham Nature Discovery has a completely new interpretation space with exhibits to tell visitors about the fascinating history and wildlife of the Kennet valley, the canal and reed beds at a cost of £125,000 from this Council.*
- *Thatcham Memorial Foundation: Jubilee Playground - installation of playground and recreational equipment £75,000*
- *Kennet Leisure Centre has £200,000 allocated from the Capital Budget in 2024/5 for refurbishment works.*

I would stress that Newbury Leisure Park is privately owned and since 2012 has undergone at least one refurbishment but unfortunately due to a variety of reasons including Covid 19, has ceased trading and is currently up for sale by the owners.

During the pandemic the Council provided grant financial support to the occupiers of Newbury Leisure Park under the statutory Covid-19 Local Restrictions Support Grant. These grants were paid to all rate-paying businesses that had been forced to close as

Public Questions as specified in the Council's Procedure Rules of the Constitution

a result of Government restrictions. However, given financial constraints and extensive other commitments in the Leisure Strategy the Newbury Leisure Park is not something that we could contemplate becoming involved in.

The Portfolio Holder asked: *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

Simon Pike asked the following supplementary question:

“If it is not appropriate for the Council to provide support to a private business like the Leisure Park why did the Local Plan in 2012 give a commitment effectively that it would be expanded, when it is outside the ability of the Council to achieve that?”

The Portfolio Holder for Housing, Leisure and Culture answered:

I'm afraid I wasn't a Councillor in 2012 and so would like to come back with a written response.

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Member Questions as specified in the Council's Procedure Rules of the Constitution

Item (A)	Executive Meeting on 12 January 2023
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(A) Question submitted to the Portfolio Holder for Planning, Transport and Countryside by Councillor Nassar Hunt:

“White lining in Thatcham Broadway has been degraded by time and was reported to the Highways department in early August after complaints from residents at a Thatcham Town Council Surgery. We have finally had a reply from the Highways Department that they are intending to reinstate white lining in key roads across Thatcham including the Broadway but no date for commencement of the works has been provided. Why does the Council not act sooner to re-fresh white lines before they are severely degraded and why does it take so long from this being notified to Highways for such work as this to be carried out?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Dear Councillor Hunt, thank you for your question.

The Council takes a risk-based approach to maintain and inspect road markings on the network in accordance with our Highway Safety Inspection Policy. Works that are considered safety critical are prioritised. Other less critical work is grouped together by location to maximise economy of scale. There also may appear to be a delay in delivery when we move to the wetter months as wet and slippery road conditions are not conducive to laying road markings. This also means it is difficult for officers to provide a date for delivery.

I can however assure you that the works have been ordered and will be delivered early this year, weather permitting.

Member Questions as specified in the Council's Procedure Rules of the Constitution

Item (B)

Executive Meeting on 12 January 2023

(B) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by Councillor Jeff Brooks:

“At the Council meeting held on 1st December 2022, the Leader of the Council informed members that Cllr Rowles was to be replaced on six Council Committees and as a Council representative on the outside body, the Thames Valley Police and Crime Panel (the TVPCP). It is my understanding that appointments to outside bodies are made (at least) annually and can only change mid-term if the appointed Cllr resigns from the outside body. Did Cllr Docherty have the authority to replace Cllr Rowles on the Thames Valley Police and Crime Panel (the TVPCP) or should this have been effected at the Annual Council meeting?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

Thank you for your question.

I'm afraid that you are wrong on two counts.

First, Council wasn't informed about the changes, rather **COUNCIL resolved** the changes.

Second, changes to an outside body can certainly be made 'mid-term' as you put it – indeed this is explicitly recognised in the rules of the Thames Valley Police and Crime Panel, and I quote: “An Authority may decide in accordance with its procedures to remove its Member from the Panel at any time”.

So, to repeat:

- Cllr Doherty didn't replace Cllr Rowles on anything – Council did; and
- Council had every authority to do so, mid-term or otherwise.

The Portfolio Holder asked: *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

Councillor Jeff Brooks asked the following supplementary question:

“You quote from the Thames Valley Police Panel which is a Panel and not a Joint Committee.

[As a point of order, Councillor Graham Bridgman interjected that the Thames Valley Police and Crime Panel was definitely a Joint Committee]

Member Questions as specified in the Council's Procedure Rules of the Constitution

That's very helpful. Quoting from the Constitution it states that 'the Executive may establish joint arrangements with one or more local authorities to exercise functions which are Executive functions, except as set out below, the Executive may only appoint Executive Members to a Joint Committee, and those members need not reflect the political composition of the Local Authority. Thames Valley Police terms say it can change a member, but here under the rules for a Joint Committee it says that it should have been an Executive Member. The Executive may appoint Members to a Joint Committee from outside the Executive where the Joint Committee has functions for only part of the area of the Local Authority, and that area is smaller than two fifths of the Authority.' I think you have actually done something that you were not entitled to do."

Leader: "I am taking your supplementary question as 'Have you done something that you were not entitled to do'?"

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

Based on my conversations with the Monitoring Officer I am confident that all decisions have been lawful.

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West Berkshire National Planning Policy Framework (July 2021) paragraph 22 Vision

1 Introduction

- 1.1 West Berkshire District Council (WBDC) wishes to procure consultancy services to deliver focussed visioning work for two settlements to support the Local Plan Review (LPR) 2021 - 2037; Newbury where the strategic site Sandlesford (circa 1,500 dwellings) is proposed and Thatcham where the strategic site, North East Thatcham (circa 2,500 dwellings) is proposed.
- 1.2 The visioning will support the spatial strategy for the West Berkshire LPR.

Objective

- 1.3 To produce visions, that looks ahead at least 30 years, for Newbury and Thatcham. The visions should be innovative, and ambitious, and supported by comprehensive consultation and engagement with the community.

2 Planning and other relevant policy documents

National

- 2.1 The National Planning Policy Framework (NPPF) and the supporting Planning Practice Guide (PPG) sets the planning policy context in which local plans are prepared. NPPF paragraph 14 requires local planning authorities to positively seek opportunities to meet the development needs of their area.
- 2.2 Core planning principles set out in the NPPF include that planning should:
- *Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and cooperation to address larger than local issues.*
 - *Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
 - *Contribute to conserving and enhancing the natural environment and reducing pollution.*
 - *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;*
 - *Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.*
- 2.3 Amongst other matters, the NPPF advises that local plans should:
- *indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;*
 - *allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;*
- 2.4 The NPPF was updated in July 2021 to reflect the requirement to produce a vision for strategic sites which is the reason for procuring this work. Paragraph 22 now states:
*“Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or **significant extensions to existing villages and towns form part of the strategy for the area**, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.”*

Local

- 2.5 The adopted development plan for WBDC comprises the following documents:
- [West Berks Core Strategy](#) - The Core Strategy was adopted in July 2012 and sets out the Council’s overall planning strategy to 2026. It explains the vision for the area, and how it will be delivered. It also provides a framework for more detailed policies which are contained in the Housing Site Allocations (HSA) DPD.
 - [West Berks Housing Site Allocations](#) - The HSA DPD was adopted in May 2017 and implements the framework set by the Core Strategy by allocating non-strategic housing sites across West Berkshire. It also allocates sites for Gypsies, Travellers and Travelling

Showpeople, sets out residential parking standards and policies to guide housing development in the countryside.

- [Stratfield Mortimer Neighbourhood Development Plan](#) The Stratfield Mortimer NDP was adopted in June 2017. It includes one housing allocation and designates 5 Local Green Spaces. It also includes a series of policies that cover housing mix and density, general design, commercial, infrastructure, and biodiversity and environmental gain.
- [West Berks Local Plan 1991-2006 saved policies](#) The Core Strategy and HSA DPD replaced a number of the saved policies however some saved policies of the West Berkshire District Local Plan 1991 - 2006 still form part of the current local plan.

[Local Plan Review](#)

- 2.6 The Council is reviewing its Local Plan. The LPR will guide development in the District up to 2037. A consultation on the emerging draft version of the LPR took place from December 2020 – March 2021.
- 2.7 The Council was intending to consult on its draft version of the LPR in autumn 2021 however this will now not take place. Two strategic urban extension sites are proposed for allocation in the LPR:
- Policy SP16 proposes a strategic site allocation of approximately 1,500 homes at Sandleford.
 - Policy SP17 proposes a strategic site allocation of approximately 2,500 homes at North East Thattham.

To comply with updated NPPF policy, the Council will produce visions for Newbury and Thattham in line with paragraph 22. These vision will draw on, and compliment, the existing overarching vision contained with the LPR.

West Berkshire Minerals and Waste Planning Policy

- 2.8 The current planning policy comes from the [Replacement Minerals Local Plan for Berkshire](#) (RMLP) and the [Waste Local Plan for Berkshire](#) (WLPB). These plans were produced jointly by the unitary authorities that make up the former Berkshire County area. The Secretary of State has directed that a number of policies in the [RMLP](#) and [WLPB](#) for Berkshire should be saved indefinitely until replaced by national, regional or local Minerals and Waste policies.
- 2.9 The Council has produced a new Minerals and Waste Local Plan that will replace the above and sets out the proposed policies to manage mineral and waste development in West Berkshire as well as allocating sites for mineral extraction for the period to 2036. The plan is currently at examination.

Corporate

- 2.10 A number of [corporate strategies, policies and plans](#) also exist within the Council. The visions will need to have considered these and embed the key aspirations, aims and priorities contained in these documents in the visions. Some of the key documents are listed below but all corporate strategic, policies and plan are relevant.

- [West Berkshire Vision 2036](#)
- [Council Strategy 2019-2023](#)
- [Environment Strategy 2020-2030](#)
- [West Berkshire's Housing Strategy 2020-2030](#)
- [Economic Development Strategy 2020-2023](#)
- [West Berkshire Cultural Heritage Strategy 2020-2030](#)

3 Context

West Berkshire District

- 3.1 West Berkshire lies on the western fringe of the South East region, centrally located, at a crossroads where the South East meets the South West and where the south coast comes up to meet the southern Midlands. As such, the district lies at the convergence of two key road arteries in the south – the M4 and the A34. Both provide direct road links in all directions, with all the key urban centres in southern England.
- 3.2 The district has good rail links, with London less than an hour by train and further connections, via Reading, to all the mainline routes throughout the country. The area also has very good links to international transport hubs: Heathrow and Southampton airport are 40 miles away, as are the ferry terminals in Southampton and Portsmouth, providing links with the continent.
- 3.3 The district is primarily made up of chalk Downlands, loosely centred along the lower reaches of the River Kennet, which rises in Wiltshire and flows through to join the Thames at Reading. Most people within the district live within this valley. The majority of the district lies to the north of the Kennet. This is an area of gently rolling, chalk Downlands, classified as part of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- 3.4 The population of West Berkshire population as is approximately 158,400 (ONS mid-year population estimate 2019). 73% of people live in settlements along the Kennet Valley and in the suburban areas just to the west of Reading borough. The largest urban area in the district is Newbury and Thatcham, where around 67,000 (43%) of West Berkshire residents live. 16% of residents live in the suburban area adjoining Reading borough. Other significant towns in the district are Hungerford and Theale. The remainder of the population are dispersed in small rural settlements across the district.
- 3.5 The two largest groups of commuters travelling into the district originate from Basingstoke and Deane and Reading; whereas West Berkshire residents mainly commute to Reading and London.

Newbury

- 3.6 Newbury is a traditional market town and the largest settlement in West Berkshire. It provides significant employment opportunities as well as retail and leisure facilities. It is the main focus of growth in the adopted Local Plan. Newbury's accessibility in terms of access to rail and the strategic road network means that it remains a key focus for business investment and development in the Local Plan Review. The Sandleford Park strategic site allocation, to the south of the town, is proposed to be rolled forward as an allocation in the LPR as it has yet to be delivered. The site, which is expected to deliver approximately 1,500 is the subject of an appeal which is currently being determined by the Secretary of State.

Thatcham

- 3.7 Thatcham is an historic market town approximately 3 miles west of Newbury. Since the 1970s, the town has grown significantly, by 40% from 1971 to 1980 and by another 50% from 1981 to 2001. As the new developments were low density and car-orientated, Thatcham did not see a growth in self-containment but instead services became concentrated in Newbury. The town was severely affected by flooding in 2007 and over 1,000 homes were flooded. While Newbury is the main focus for growth in the adopted Local Plan, the LPR seeks to focus strategic growth on Thatcham with the delivery of a circa 2,500 home urban extension to the north east of the town and the associated infrastructure that comes with this. This presents an opportunity for increased investment in the town as a whole

4 Specification

Strategic visions for Newbury and Thatcham to support two potential strategic site allocations. (To be completed by April 2022).

Considerations

- 4.1 The successful candidate will be expected to produce strategic visions that are innovative and capable of anticipating changing circumstances over a long term period. The visions will support relevant policies contained in the LPR. They must contain a clear spatial steer to where growth in Newbury and Thatcham over the 30 year period will take place.
- 4.2 The visions must also align with the wider vision already outlined in the emerging draft version of the LPR and reflect and support the policy direction of the document. In addition, consideration must be given to the responses the Council received to the consultation on the emerging draft version of the LPR.
- 4.3 Whilst clearly drawing on the LPR, the visions must also consider the other corporate policy documents set out in paragraph 2.1.
- 4.4 High level masterplanning work for the North East Thatcham site ([the Thatcham Strategic Growth Study](#)) has already been produced and this must be the starting point for visioning work for the wider town. The vision for Thatcham will build on this work and will need to set out the strategic direction of development in the town over the next 30 years versus the more local vision for the town.
- 4.5 While town centre visioning work has been done for Newbury and should be taken into account, equivalent work to the Thatcham Strategic Growth Study does not exist. The visioning work for Newbury will need to set out the strategic direction of development over the next 30 years versus the more local vision for the town. Newbury is a newly designated area and the town council have indicated that they will produce a neighbourhood plan and this must also be considered.

Consultation and engagement

- 4.6 A key part of the work will be the consultation and engagement element. Some responses to the emerging draft version of the LPR, and supporting documents, are critical of the consultation that has already taken place. A consultation strategy should support the visioning work, clearly setting out an approach that will ensure increased levels of engagement across multiple stakeholders. Engagement with groups who have not engaged in the past, e.g. school students will be encouraged. Some stakeholders will be challenging to engage with, e.g. town councils opposed to development, but it is important that they are given the opportunities to engage.

Finished product

- 4.7 The visions will review all existing relevant corporate publications, adopted planning policy and emerging planning policy. Drawing on responses received from consultation and engagement exercises, they will be concise and focussed documents that will:
 - Inform the proposed strategic site allocations, and
 - Provide the community with a tangible idea of what Newbury and Thatcham will look like in 30 years, which they feel they have contributed to.

4.8 Expert technical support at the Examination in Public into the Council’s proposed LPR and throughout the LPR process to adoption (Post Local Plan Submission (autumn 2022) to adoption).

The successful bidder will be expected to provide this.

4.9 Meetings – the following will be required at a minimum

- Inception meeting – Week beginning 15 November
- Weekly update meeting
- Monthly progress report
- Public consultation exercise (Feb 2022)
- Presentation to West Berkshire committee (?) – 1 to 2 meetings
- Public consultation exhibitions (?)
- Expert witness support at Examinations in Public

4.10 Technical resources / expertise: Key skillsets required are:

- Stakeholder engagement, communications and public relations – demonstration of a track record of community and stakeholder engagement
- Landscape led masterplanning and urban design
- Place-making
- Delivering masterplans for new settlements and urban extensions
- Planning
- Environmental sustainability including net zero carbon
- Infrastructure investment and delivery programmes
- Expert witness advice / experience of active participation at Local Plan examinations

4.11 Timetable - an indicative timetable for work is set out below

- Appointment of consultant / inception meeting – week beginning 15 November
- Collation / assessment of evidence base – November 2021 to January 2022
- Stakeholder engagement / consultation – February 2022
- Generation of vision – March 2022.
- Refinement of vision and final report produced – April 2022
- Expert witness support at LPR EiP and throughout the process to adoption – Spring 2023 to adoption

West Berkshire Green Wedge, Gap or Belt Study between Newbury and Thatcham

1 Introduction

- 1.1 West Berkshire District Council (WBDC) wishes to procure consultancy services to deliver a focussed study which will help identify and define the most appropriate planning designation for the countryside around the two settlements/Towns of Newbury and Thatcham to support the Local Plan Review (LPR) 2021 - 2039; Newbury where the strategic site Sandford (circa 1,500 dwellings) is proposed (part of the site has planning permission) and Thatcham where the strategic site, North East Thatcham (circa 2,500 dwellings) is proposed. This would also include the surrounding settlements of Cold Ash, Ash More Green, Speen, Upper Bucklebury and Wash Water in particular.
- 1.2 The Green Wedge, Gap or Belt study will support the spatial strategy for the West Berkshire LPR.

Objective

- 1.3 The purpose of the work is to carry out a study and assessment of the land between Newbury and Thatcham and assess alternate forms of planning designation which will safeguard the unique characters of Newbury and Thatcham and the countryside surrounding them recommending an appropriate approach to help inform the Local Plan Review (LPR) 2039.

2 Planning and other relevant policy documents

National

- 2.1 The National Planning Policy Framework (NPPF) and the supporting Planning Practice Guide (PPG) sets the planning policy context in which local plans are prepared. NPPF paragraph 14 requires local planning authorities to positively seek opportunities to meet the development needs of their area.
- 2.2 Core planning principles set out in the NPPF include that planning should:
- *Be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and cooperation to address larger than local issues.*
 - *Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
 - *Contribute to conserving and enhancing the natural environment and reducing pollution.*
 - *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;*
 - *Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.*
- 2.3 Amongst other matters, the NPPF advises that local plans should:
- *indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;*
 - *allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;*
- 2.4 The NPPF was updated in July 2021 to reflect the importance of the countryside (paragraph 120):
- *recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
 - *(paragraph 174) Planning policies and decisions should contribute to and enhance the natural and local environment by:*
 - *a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - *b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

Local

2.5 The adopted development plan for WBDC comprises the following documents:

- [West Berks Core Strategy](#) - The Core Strategy was adopted in July 2012 and sets out the Council's overall planning strategy to 2026. It explains the vision for the area, and how it will be delivered. It also provides a framework for more detailed policies which are contained in the Housing Site Allocations (HSA) DPD.
- [West Berks Housing Site Allocations](#) - The HSA DPD was adopted in May 2017 and implements the framework set by the Core Strategy by allocating non-strategic housing sites across West Berkshire. It also allocates sites for Gypsies, Travellers and Travelling Showpeople, sets out residential parking standards and policies to guide housing development in the countryside.
- [Stratfield Mortimer Neighbourhood Development Plan](#) The Stratfield Mortimer NDP was adopted in June 2017. It includes one housing allocation and designates 5 Local Green Spaces. It also includes a series of policies that cover housing mix and density, general design, commercial, infrastructure, and biodiversity and environmental gain.
- [West Berks Local Plan 1991-2006 saved policies](#) The Core Strategy and HSA DPD replaced a number of the saved policies however some saved policies of the West Berkshire District Local Plan 1991 - 2006 still form part of the current local plan.
- [Landscape Character Assessment](#) and
- [Historic Landscape Characterisation](#)

[Local Plan Review](#)

2.6 The Council is reviewing its Local Plan. The LPR will guide development in the District up to 2039. A consultation on the emerging draft version of the LPR took place from December 2020 – March 2021.

2.7 Two strategic urban extension sites are proposed for allocation in the LPR:

- Policy SP16 proposes a strategic site allocation of approximately 1,500 homes at Sandleford.
- Policy SP17 proposes a strategic site allocation of approximately 2,500 homes at North East Thatcham.

[West Berkshire Minerals and Waste Planning Policy](#)

2.8 The current planning policy comes from the [Replacement Minerals Local Plan for Berkshire](#) (RMLP) and the [Waste Local Plan for Berkshire](#) (WLPB). These plans were produced jointly by the unitary authorities that make up the former Berkshire County area. The Secretary of State has directed that a number of policies in the [RMLP](#) and [WLPB](#) for Berkshire should be saved indefinitely until replaced by national, regional or local Minerals and Waste policies.

2.9 The Council has produced a new Minerals and Waste Local Plan that will replace the above and sets out the proposed policies to manage mineral and waste development in West Berkshire as well as allocating sites for mineral extraction for the period to 2036. The plan is currently at examination.

2.10 West Berkshire Council

Corporate

2.11 A number of [corporate strategies, policies and plans](#) also exist within the Council. The visions will need to have considered these and embed the key aspirations, aims and priorities

contained in these documents in the visions. Some of the key documents are listed below but all corporate strategic, policies and plan are relevant.

- [West Berkshire Vision 2036](#)
- [Council Strategy 2019-2023](#)
- [Environment Strategy 2020-2030](#)
- [West Berkshire's Housing Strategy 2020-2030](#)
- [Economic Development Strategy 2020-2023](#)
- [West Berkshire Cultural Heritage Strategy 2020-2030](#)

3 Context

West Berkshire District

- 3.1 West Berkshire lies on the western fringe of the South East region, centrally located, at a crossroads where the South East meets the South West and where the south coast comes up to meet the southern Midlands. As such, the district lies at the convergence of two key road arteries in the south – the M4 and the A34. Both provide direct road links in all directions, with all the key urban centres in southern England.
- 3.2 The district has good rail links, with London less than an hour by train and further connections, via Reading, to all the mainline routes throughout the country. The area also has very good links to international transport hubs: Heathrow and Southampton airport are 40 miles away, as are the ferry terminals in Southampton and Portsmouth, providing links with the continent.
- 3.3 The district is primarily made up of chalk Downlands, loosely centred along the lower reaches of the River Kennet, which rises in Wiltshire and flows through to join the Thames at Reading. Most people within the district live within this valley. The majority of the district lies to the north of the Kennet. This is an area of gently rolling, chalk Downlands, classified as part of the North Wessex Downs Area of Outstanding Natural Beauty (AONB).
- 3.4 The population of West Berkshire population as is approximately 158,400 (ONS mid-year population estimate 2019). 73% of people live in settlements along the Kennet Valley and in the suburban areas just to the west of Reading borough. The largest urban area in the district is Newbury and Thatcham, where around 67,000 (43%) of West Berkshire residents live. 16% of residents live in the suburban area adjoining Reading borough. Other significant towns in the district are Hungerford and Theale. The remainder of the population are dispersed in small rural settlements across the district.
- 3.5 This rural population is dispersed across a large number of towns, villages and smaller settlements each of which has its own identity, as well as its own specific needs and concerns. This rural dimension is very important in shaping the character of West Berkshire, its communities, economy and environment. The importance of agriculture and rural businesses, the prominence of landscape and countryside along with the small scale and dispersed nature of rural communities, are all important issues and challenges to be considered through the review of the Local Plan. The rural environment of West Berkshire adds significantly to the quality of life enjoyed by urban residents of the District and is a considerable asset for the area.
- 3.6 The main urban areas of Newbury and Thatcham, together have a significant rural hinterland which includes a number of smaller villages, such as Cold Ash, Ashmore Green, and Upper Bucklebury. The character of these rural areas visibly contrasts with the more urban areas of Newbury, Thatcham, Speen, Wash Water and Greenham.

3.7 Whilst Newbury and Thatcham are separate and distinct towns with their own character, they are geographically close and functionally related. Both towns have significant employment provision and Newbury provides many of the major services, including retail and leisure facilities. There is significant movement between the two towns by rail and road.

Newbury

3.8 Newbury is a traditional market town and the largest settlement in West Berkshire. It provides significant employment opportunities as well as retail and leisure facilities. It is the main focus of growth in the adopted Local Plan. Newbury's accessibility in terms of access to rail and the strategic road network means that it remains a key focus for business investment and development in the Local Plan Review. The Sandleford Park strategic site allocation, to the south of the town, is proposed to be rolled forward as an allocation in the LPR as it has yet to be delivered. The site, which is expected to deliver approximately 1,500 is the subject of an appeal which is currently being determined by the Secretary of State.

Thatcham

3.9 Thatcham is an historic market town approximately 3 miles east of Newbury. Since the 1970s, the town has grown significantly, by 40% from 1971 to 1980 and by another 50% from 1981 to 2001. As the new developments were low density and car-orientated, Thatcham did not see a growth in self-containment but instead services became concentrated in Newbury. The town was severely affected by flooding in 2007 and over 1,000 homes were flooded. While Newbury is the main focus for growth in the adopted Local Plan, the LPR seeks to focus strategic growth on Thatcham with the delivery of a circa 2,500 home urban extension to the north east of the town and the associated infrastructure that comes with this. This presents an opportunity for increased investment in the town as a whole

4 Specification

To produce a report which sets out the methodology for the study and seeks to identify the most appropriate spatial planning approach proposals; such as Green Wedge, Gap or Belt with assessments of their advantages and disadvantages for West Berkshire Council to consider and decide which is the most appropriate, if any, to take forward in the Local Plan Review (LPR) 2039.

Considerations

- 4.1 The successful candidate will be expected to propose strategic designations and policy suggestions that are strong and defensible at appeal while also being effective in their use and implementation and should anticipate changing circumstances over a long term period. The work should support other relevant policies contained in the LPR.
- 4.2 High level masterplanning work for the North East Thatcham site ([the Thatcham Strategic Growth Study](#)) has already been produced and this can contribute to this work. In addition a Landscape Sensitivity and Capacity Assessment has been undertaken for this site. This has not been published online, but can be made available to the successful tender.
- 4.3 There is also vision for Thatcham which will build on this work and will set out the strategic direction of development in the town over the next 30 years versus the more local vision for the town, although it is not complete yet.
- 4.4 While town centre visioning work has been done for Newbury and can be taken into account, equivalent work to the Thatcham Strategic Growth Study does not exist. The visioning work (being undertaken by Icen) for Newbury will again set out the strategic direction of development over the next 30 years versus the more local vision for the town, but is not complete yet. *Newbury is a newly designated neighbourhood plan area and the town council have indicated that they will produce a neighbourhood plan and this must also be considered?*

Consultation and engagement

- 4.5 The consultants will be expected to liaise with the relevant Council officers to ensure that relevant information is used in the study.

Finished product

- 4.6 The reports will review all existing relevant corporate publications, relevant adopted planning policy and relevant emerging planning policy. The report will also set out a study and assessment of the land around Newbury and Thatcham and recommend and assess alternate forms of planning designation which will safeguard the unique characters of Newbury and Thatcham and the countryside between them to help inform the Local Plan Review (LPR) 2039.
- 4.7 **Expert technical support at the Examination in Public into the Council's proposed LPR and throughout the LPR process to adoption** (Post Local Plan Submission (Spring 2023) to adoption).
The successful bidder will be expected to provide this.
- 4.8 **Meetings** – the following will be required at a minimum
 - Inception meeting – Week beginning 4th July
 - Fortnightly brief update meeting
 - Monthly progress report

- Draft Report 12th September
- Final Report 10th October
- Expert witness support at Examinations in Public (to be costed separately from commission)

4.9 **Technical resources / expertise:** Key skillsets required are:

- Sound understanding of the UK planning system and the effectiveness of different planning designations in retaining the separate identity of individual settlements-
- An understanding of landscape sensitivity and capacity assessment and a recognition that the character of the landscape should be used as a positive tool to accommodate change
- Place-making
- Expert witness advice / experience of active participation at Local Plan examinations

4.10 Timetable - an indicative timetable for work is set out below

- Appointment of consultant / inception meeting – week beginning 4 July 22
- Draft Report 12th September
- Final Report 10th October
- Expert witness support at LPR EiP and throughout the process to adoption.

4 The Spatial Strategy

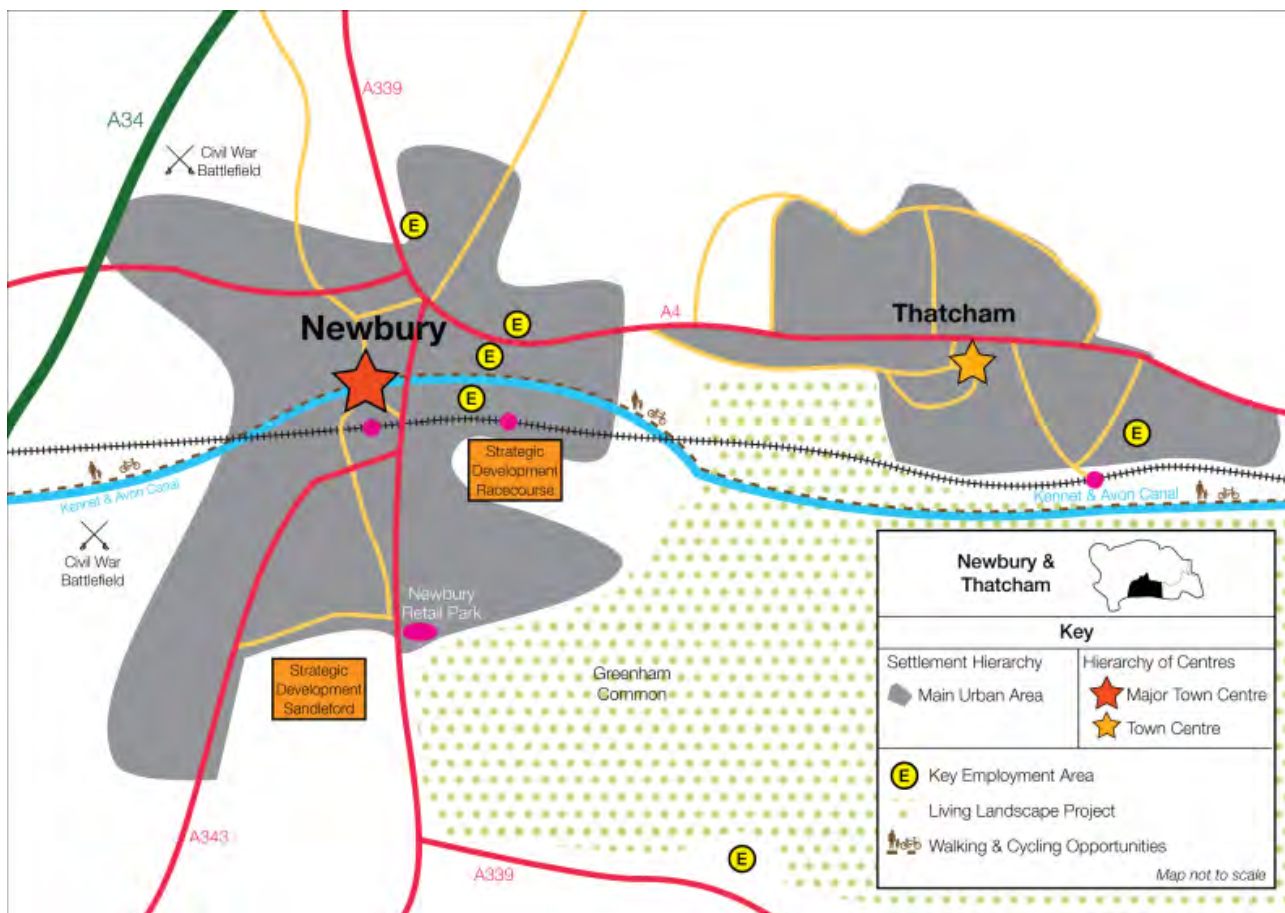
Thatcham - The Vision

4.26 Thatcham town centre will be a focus for regeneration, enabling the town to fulfil its role within the District’s Hierarchy of Centres⁽²⁷⁾ by improving the retail offer and enhancing the streetscape. The provision of leisure and community facilities for all ages will be improved and encouraged within the town centre. With the development of the new town centre, reflecting the historic heritage and responding to the needs of local people, Thatcham will become more self-contained providing a range of job opportunities and encouraging residents to shop and socialise locally.

4.27 Thatcham will be an accessible location, with improved access by public transport, walking and cycling and local traffic improvements increasing access and linkages to the town for residents and for visitors. Flood risk throughout Thatcham will be reduced and managed through surface water management schemes⁽²⁸⁾ and sensitive development.

4.28 The countryside and green infrastructure surrounding Thatcham, such as the Kennet Valley, the Nature Discovery Centre and the Living Landscape to the south, will be positively and proactively managed as assets for biodiversity. This will enhance health and well-being by creating more opportunities for residents and visitors to access and enjoy the high quality environment of the area.

Figure 1 Newbury and Thatcham



27 Policy CS 11 'Hierarchy of Centres'

28 [Thatcham Surface Water Management Plan](#), WSP on behalf of West Berkshire Council, 2010 available at www.westberks.gov.uk

Area Delivery Plan Policy 3

Thatcham

Housing

- Thatcham will accommodate approximately 900 homes of the total allocation for the District over the Core Strategy period in line with its role within the District Settlement Hierarchy. The majority of this planned growth, approximately two thirds, has already been committed or completed, for example through the Kennet Heath site to the south of the town. The rest will be delivered through the Site Allocations and Delivery DPD and will include greenfield sites adjoining the settlement, with schemes contributing to the creation of mixed and inclusive communities and helping to address local housing need. A number of sites which have future development potential have been identified in the Strategic Housing Land Availability Assessment (SHLAA).⁽²⁹⁾
- Opportunities will be taken to maintain and enhance the identity of Thatcham, separate to that of Newbury and the surrounding rural settlements.

Town Centre

- Thatcham's services and facilities will be improved allowing the town to fulfil its role within the District Settlement Hierarchy and the Hierarchy of Centres, serving the local population, not only within Thatcham, but also the surrounding rural areas.
- The town centre will be regenerated with the redevelopment of the Kingsland Centre driving this improvement, providing an attractive shopping environment and enhanced retail offer. This redevelopment is proposed to deliver approximately 17,200 sq.m of new floorspace in a mix of uses including, among others, retail, residential, office and community space.
- The town centre commercial boundary and primary shopping frontage will be reviewed through the Site Allocations and Delivery DPD.

Employment

- Thatcham will continue to support local employment through the designated Protected Employment Areas at Colthrop and Green Lane, which will continue to sustain a strong employment base. The role, function and boundaries of these sites will be reviewed through the Site Allocations and Delivery DPD.
- Thatcham town centre will accommodate small scale office development in keeping with the scale and character of the existing centre.

Accessibility

- Drawing on the conclusions from the Thatcham Town Centre Design Appraisal,⁽³⁰⁾ Thatcham will have recognisable gateways and better signage, improving connectivity and giving the town a stronger identity as a distinct and thriving settlement.
- The streetscape and public realm throughout the town will be improved, along with upgrades to the A4/Bath Road corridor, all of which are vital to enhancing Thatcham's image.
- Opportunities will be maximised to provide better connections and maximise accessibility linkages between the town centre and Thatcham railway station.
- The new shuttle bus service between Thatcham and Newbury will improve accessibility between the two towns.

29 [Strategic Housing Land Availability Assessment](#) available at www.westberks.gov.uk

30 [Thatcham Town Centre Design Appraisal](#), Turley Associates on behalf of West Berkshire Council, 2009 available at www.westberks.gov.uk

4 The Spatial Strategy

Environment

- The risk of flooding within the area will be reduced and managed through the implementation of schemes within the Thatcham Surface Water Management Plan⁽³¹⁾ and in accordance with Policy CS16.
- Through new development opportunities will be actively sought to create a connected and multi-functional green infrastructure network, which links with the town centre and surrounding countryside.
- The Nature Discovery Centre will be positively managed by the Council to ensure it continues to act as a vital educational and recreational resource for the area, as well as attracting tourism.
- The landscape and recreational role of the Kennet and Avon Canal will be strengthened in conjunction with British Waterways, with improvements to the towpath between Newbury and Thatcham as set out within the Infrastructure Delivery Plan (IDP)⁽³²⁾ playing a key part over the plan period. The canal will continue to contribute positively to the character of Thatcham and the surrounding area.
- The Council will continue to implement strategic biodiversity enhancements in conjunction with Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), within the area covered by the Living Landscape project⁽³³⁾.
- Development will respect the historic environment of the town. A Conservation Area Appraisal will be undertaken for Thatcham Conservation Area.

Community Infrastructure and Services

- The range of leisure facilities within Thatcham will be expanded, utilising those at the existing Newbury Leisure Park on Lower Way, and optimising opportunities for leisure within the town centre through any future regeneration projects.
- Opportunities to implement schemes set out within the Thatcham Vision⁽³⁴⁾ will be taken, for example schemes relating to sustainable travel, or maintaining the historic character of the town centre.

Delivery and Monitoring

The strategy for Newbury and Thatcham will be delivered by implementation of the projects in the Newbury Vision 2025 and the Thatcham Vision and through the range of core policies identified in Section 5 'Core Policies'

Infrastructure requirements are set out in the Infrastructure Delivery Plan.

Monitoring will be through a range of indicators which are outlined in Section 6 'Monitoring Framework'.

31 [Thatcham Surface Water Management Plan](#) WSP on behalf of West Berkshire Council, 2010 available at www.westberks.gov.uk

32 [Infrastructure Delivery Plan](#) available to view at www.westberks.gov.uk

33 [Living Landscape Project](#), at www.westberks.gov.uk and www.bbowl.org.uk

34 [Thatcham Vision](#), (2007) available to view at www.thatchamonline.net