

WEST BERKSHIRE DISTRICT COUNCIL

PROPOSED SUPPLEMENTARY PLANNING DOCUMENT (SPD) – PLANNING OBLIGATIONS

STATEMENT OF CONSULTATION – SEPTEMBER 2014

Details of Consultation

The draft SPD for developer contributions was published for consultation on Friday 25th July 2014, following approval at a meeting of the Council's Executive on 24th July. The consultation process ran for 7 weeks and closed on Friday 12th September 2014.

Details of the consultation were sent to all those who are registered on the consultation database. This includes individuals, developers, planning agents and other planning professionals, public bodies, government organisations, our Parish and Town Councils, and our neighbouring authorities.

A total of 17 comments were received from 9 contributing consultees. Of these, 2 comments were intended for another consultation which ran concurrently to this one. These comments have both been passed to the appropriate team for consideration, but have been included in the statement below for completeness. The remaining 15 comments have been considered, and amendments made to the draft SPD as appropriate. The first table (page 2) provides a summary of the changes that have been made to the SPD following the consultation. The second table (pages 3 to 20) sets out the comments received in full together with the Council's response.

Consultation Responses were received from:

| Ref. | Name | Organisation | |
|---------------|---------------|-----------------------|--|
| POB02 | Ms M Pearson | Individual response | Comment intended for the Housing Site Allocations DPD Preferred Options consultation |
| POB03 | Mrs L Gilboy | Downland Practice | |
| POB04 | Miss A Dodd | Individual response | Comment intended for the Housing Site Allocations DPD Preferred Options consultation |
| POB05 | Mrs J Hennell | Canal and River Trust | |
| POB06 | Mr S Dackombe | Thames Valley Police | |
| POB07 | Mr P Behnke | Natural England | |
| POB08 | Mr J Somers | Gladman Developments | |
| POB09 – POB17 | Ms J Allen | Individual response | |
| POB18 | Mrs V Aston | Sport England | |

Table 1 - Summary of changes made to the SPD following the consultation process

| Topic Paper | | Paragraph Number(s) | Change Made | Reason for Change |
|-------------|-------------------------------|---------------------|--|--|
| CG | Core Guidance | 1 | Amendment to wording of the paragraph as suggested by consultation response POB10 | To strengthen the sentence |
| CG | Core Guidance | 13 | Amendment to wording of the paragraph as suggested by consultation response POB10 | To strengthen the sentence |
| TP1 | Affordable Housing | 1.5 | Amendment to wording of the paragraph as suggested by consultation response POB11 | To clarify the circumstances where exceptional circumstances may apply |
| TP1 | Affordable Housing | 1.38 | Replacement of paragraph 1.38 to explain about the Government's Housing Standards Review, and the Statement of Policy expected in early 2015. As a result of consultation response POB11 | To provide clarity about future amendments to the Affordable Housing Topic Paper once the Government issues its Statement of Policy on Housing Standards |
| TP9 | Environmental Enhancements | 9.13 | Amendment to paragraph with regard to public art | To clarify the Councils position in light of the NPPG |
| TP12 | Preventing Crime and Disorder | 12.11 to 12.18 | Restructuring of the section setting out Crime Prevention Initiatives as a result of consultation response POB06 | To improve clarity about the use of CCTV and ANPR |

STATEMENT OF CONSULTATION

Planning Obligations Draft SPD

Public Consultation from 25th July 2014 to 12th September 2014

Total of 17 comments from 9 contributing consultees

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|--|------------------------|-------|--|--|---|
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| Responses Received on the Planning Obligations Policy overall | | | | | |
| Ms Jenny Allen | Individual response | POB09 | <p>There is no mention of allowing contributions from CIL into investments in projects that provides the council with income for other investment, for example, in renewable energy generation schemes that provide profit for investment in fuel poverty programmes, or ecological services programmes (such as coppicing or forestry) that provide income for biodiversity enhancement projects.</p> <p>The plan is strategic and does not feel that it is specific to West Berkshire. More work should be undertaken at a local level, e.g. with the Parish, to involve stakeholders in infrastructure planning. There should be focused engagement specifically about planning for the identification and delivery of priority infrastructure.</p> | <p>Thank you for your comments.</p> <p>The Planning Obligations SPD is concerned mainly with the reduced ability for the Council to seek developer contributions using S106 agreements, once CIL is implemented. It is not specifically intended to detail the projects that CIL could be used to fund.</p> <p>Work is continuing between now and April to establish a policy to govern the allocation of CIL receipts to appropriate projects.</p> <p>A key part of the CIL adoption process was the refresh of the Council's Infrastructure Delivery</p> | No changes proposed as a result of this comment |

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| | | | | <p>Plan and Schedule. All Parish and Town Councils were consulted on the refresh and were invited to submit details of projects required as a result of development in their areas.</p> <p>Regulations state that Parish and Town Councils must receive at least 15% of CIL receipts for development in their area. Engagement with all Parish and Town Councils will ensure that scarce resources are used effectively to secure improvements for local communities.</p> | |
| Responses Received on the Core Guidance Paper | | | | | |
| Ms M Pearson | Individual response | POB02 | <p>I live in Tilehurst very close to Clements Mead, a proposed site for a new housing development. I've lived here for 14 years. It's a great area to live and I am dismayed to hear about the proposed plans. My key reasons for objection are: loss of green space and the impact on the character and outlook of this lovely area. It's a greenfield site. How can WBDC contemplate building on it? I object to the increased traffic in the whole area and especially in the current quiet streets where there are plenty of children playing, people out walking etc. A new development will put pressure on the existing infrastructure of schools, roads, GP surgeries. There will be increased traffic issues at the bottom of Sulham Hill into Tidmarsh. I believe there will also be a potential loss</p> | <p>Thank you for responding. This comment has been passed to colleagues for consideration as part of the concurrent consultation on the Housing Site Allocations DPD Preferred Options.</p> | No change |

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| | | | of business for the Little Heath Equestrian Stables who use the land to graze their livery horses and to hold events. It's also used as a parking area for their clients at gymkhanas, cross country events etc. If the land was built on, the lack of space would have an impact on them being able to hold events there and I believe they would lose business. People would be reluctant to livery their horses there if they couldn't have access to the fields. | | |
| Mrs Jane Hennell | Canal and River Trust | POB05 | <p>The Canal & River Trust (the Trust) is the guardian of the Kennet & Avon Canal as it runs for 45 km through West Berkshire, passing through major towns such as Newbury and Thatcham and villages such as Hungerford and Kintbury. The Council understands the benefits that the canal brings to the area and we acknowledge your support and recognition of these benefits in policy documents as multi-functional green infrastructure, wildlife corridor and heritage asset as well an attractive route for sustainable transport and informal leisure and recreation, both on the water and on the towpath.</p> <p>Whilst the Canal & River Trust support the proposed SPD we wish to discuss the particular issues surrounding the canal and towpath improvements with the Council as we are concerned that, due to national guidance, improvements may fall between the type of development funded through CIL and those fundable through S106 planning obligations.</p> <p>Development in the vicinity of the canal can have a significant impact on our infrastructure, for example as a result of increased use of the waterway and towpath by pedestrians and cyclists, and it is essential that this impact is mitigated into the future.</p> <p>There have been several occasions where this has been recognised and</p> | <p>Thank you for responding to the consultation.</p> <p>The Council has, since 2004 adopted a formulaic approach to securing S106 contributions from developers to mitigate the impact of development. Whilst this has been successful, delivering essential improvements to Council services and infrastructure, the CIL Regulations curtail our ability to use S106 agreements after April 2015. It is for this reason the Council will implement CIL on 1st April 2015. The proposed SPD sets out how we will continue to use S106 after April 2015, albeit on a much reduced basis. The West Berkshire CIL Charging Schedule sets out the shortfall between anticipated CIL receipts and the infrastructure</p> | <p>No changes are proposed to the draft SPD, but a meeting will be scheduled between the Council and the Canal and River Trust to discuss future funding. The Trust will be contacted at the appropriate stage in the forthcoming process to update the Council's</p> |

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| | | | <p>the Council have supported our request for S106 funding. This support is of course much appreciated. We are concerned however that when the CIL charging schedule is brought in in 2015 it may be more difficult to obtain such funding. Improvements to the canal are included on the adopted Regulation List 123 and more specific improvements have been mentioned in the Infrastructure Delivery Plan in the past, being prioritised as essential, (improvements to support Newbury Racecourse) critical and desirable depending on location. The Council support and recognise the need to improve towpath quality and mitigate harm caused by additional usage as a result of development. We have read with interest the explanation of the type of development which can be funded through CIL and those which should continue to be funded by S106. Our concern, nationally, and not just in relation to this document, is that unintentionally a situation may occur where specific types of infrastructure, such as the canal network, fail to actually benefit from CIL and at the same time cannot be funded through s106 agreements.</p> <p>During consultation on the Infrastructure Delivery Plan update in 2013 we identified specific projects relating to the improvement of canal infrastructure, as well as generic projects such as towpath improvement and by-weir improvements to prevent flooding. However, it is unclear whether projects such as these are likely to receive CIL funding, or whether, due to the significant amount of projects of a critical and essential nature they are unlikely to benefit. Other works, such as towpath improvements may be seen as preferred rather than critical or essential unless directly related to a major scheme such as the Newbury Racecourse application. Again it is not clear how any 'pot' of money may be allocated and whether preferred infrastructure rather than essential or critical will realistically get funding.</p> | <p>requirements as a result of development. It is inevitable that the use of CIL receipts will need to be prioritised and not all services will receive the funding they require. Work is continuing between now and April to establish a policy to govern the allocation of CIL receipts.</p> <p>In addition the Council intends to refresh its Infrastructure Delivery Plan and Schedule prior to the submission for examination of its Housing Site Allocations DPD.</p> <p>This will involve contacting the Council's service units and partner organisations, including the Canal and River Trust. At that time you will be invited to submit details of projects required on the Canal in the remainder of the plan period. If it can be established that a project is required directly and specifically as a result of 5 or less developments, it may be possible to seek contributions from those developments using the S106 mechanism. Alternatively the</p> | <p>Infrastructure Delivery Plan and Schedule.</p> |

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| | | | <p>While the Regulation 123 List remains as a list of broad categories of infrastructure and it is not realistically envisaged that CIL receipts will be used to fund improvements to the waterway infrastructure, it may be that the canal should be specifically excluded from the categories of infrastructure.</p> <p>In the past towpath improvements have benefitted as a result of S106 funding but the SPD specifically excludes prevents projects being given S106 funding if they are due to be funded through CIL, even when the chance of actually receiving CIL funding for this type of development may be very low.</p> <p>As an example of our concern, TP 2 relates to transport improvements. CIL would seem to be the correct process for obtaining towpath improvements as a result of the housing at Newbury Racecourse, as the racecourse is a strategic allocation for Newbury. A development of a smaller scheme elsewhere may also generate a need for towpath improvement which, under the current regime could be funded as a S106 contribution. It is not clear whether in the future this could still be funded in this way, as although the need for improvement relates to the development at a specific site the inclusion of the canal on the regulation 123 list may mean that a S106 contribution cannot be sought.</p> <p>We would welcome the Council's thoughts on how this will work in practice. If necessary then clarification or adaptations to the Regulation 123 list or SPD may be necessary. It may be necessary to state in the SPD that developers of sites in the vicinity of the canal may be asked to contribute towards localised waterway improvements through Section 106 where these are reasonably necessary and justified even though the whole scale improvement of the canal is recognised as a CIL project.</p> | <p>project(s) can be listed as requiring CIL funding.</p> <p>An informal meeting to discuss this further is entirely appropriate and an officer from the Council will be in contact in due course.</p> | |

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| | | | <p>We have discussed this issue with other local authorities as we believe this anomaly is due to national policy rather than your own guidance but we feel it would be useful to establish at this stage your views on whether there is indeed a problem, and if so how best to deal with it, in order to make changes in advance of the implementation of CIL.</p> <p>As such we would welcome the opportunity for an informal meeting to discuss this response.</p> | | |
| Mr John Somers | Gladman Developments | POB08 | Gladman Developments does not have any comments to make at this point in time regarding the Planning Obligations SPD. We would however like to be included on your mailing list for further updates regarding this SPD. | Thank you for taking the time to respond to the consultation. | No change |
| Ms Jenny Allen | Individual response | POB10 | <p>Paragraph 1 - The language in paragraph 1 of the Introduction is very weak. WBC should consider rewording the last sentence to "the Council will ensure that adverse impacts of new development in WB are avoided and that ..." etc. They should also consider whether to include reference to well-being and / or healthy communities.</p> <p>Paragraph 13 – Emphasis should be placed on '<i>sustainable</i>' development: "It will always work proactively with applicants to find solutions which mean that proposals [for sustainable development] can be approved wherever possible ...".</p> | <p>Thank you for your comments about the Core Guidance Paper. The wording of the first paragraph will be amended to strengthen the sentence. However, 'Well being' and 'healthy communities' are considered to be social benefits and so no change will be made in that respect.</p> <p>The wording of paragraph 13 will also be amended to reflect your comment.</p> | Amend Paragraph 1 and Paragraph 13 of the Core Guidance document |

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| Comments Received on Affordable Housing (Topic Paper 1) | | | | | |
| Ms Jenny Allen | Individual response | POB11 | <p>Paragraph 1.5</p> <p>One of the 'exceptional circumstances' is based on the type of unit proposed. This is relevant where there is one unit or for a uniform building (e.g. flats), however, for sites where a number of units are proposed it is difficult to justify that unit type could be an exceptional circumstance.</p> <p>Paragraph 1.34</p> <p>If the CfSH is withdrawn. What is the Council's position on construction standards.?</p> <p>Paragraph 1.35 / 1.36</p> <p>The Council should include a statement on providing houses that are designed to alleviate fuel poverty. The current statements do not go far enough.</p> <p>Paragraph 1.37 –</p> <p>The minimum standards are very small and are at or close to the sizes in the London Plan. Should West Berkshire also ensure that developers take account of build sizes in areas adjacent to new developments, where appropriate, to ensure that development adjacent to existing housing reflects the character of those areas.</p> | <p>We agree with your comment. The Council will amend paragraph 1.5 to clarify the instances where exceptional circumstances may apply.</p> <p>The Government has published the next stage in its review of housing standards. The review relates to access requirements, space standards, security, water efficiency, and external waste storage. The Government has stated that it will issue a statement of policy in early 2015, which may require changes to standards currently set out in the Affordable Housing Topic paper. The timing of the issuing of the government's statement will require a separate update once details become known. For that reason, no changes are planned for the Topic Paper save for an explanatory paragraph setting out this information.</p> | <p>Amend Para 1.5</p> <p>Amend and expand Para 1.38</p> |

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| Comments Received on Transport (Topic Paper 2) | | | | | |
| Miss Alison Dodd | Individual response | POB04 | I really object to even more strain being put on our road network. Parking is a complete nightmare in Sainsbury's and will be even more so once Ikea arrives. The time it takes to get out of Sainsbury's is a joke. You would really have to do some major improvements to fix this problem, a touch of road widening is not sufficient. This just is not fair for the residents of my estate who have absolutely no shops to walk to apart from Sainsbury's. OK if you are in good health. I would also like to point out that this will encourage more people to cut through our estate as a means to avoiding the A4. This already happens and it somewhat irritating if there is a back log of traffic and you can't even get to where you live. | Thank you for responding. This comment has been passed to colleagues for consideration as part of the concurrent consultation on the Housing Site Allocations DPD Preferred Options. | No change |
| Ms Jenny Allen | Individual response | POB12 | <p>2.7 / 2.8 – these statements note obligations in relation to the development itself, and off-site contributions but there is no reference to situations whereby the development will have to provide other infrastructure on site such as for example community facilities, bus interchange / layover bays etc. These sorts of features may be required if a development is changing an existing community sufficiently that additional infrastructure is required over and above that for the new development.</p> <p>2.10 TS/TAs and TPs should be scoped with the local authority prior to being prepared. Travel Plans should not be detailed and not framework plans, as they are material to planning decisions.</p> <p>Public Transport</p> <p>Paragraph 2.14 – what does the last sentence mean: "These contributions will only be required where the provision of the public</p> | <p>Paragraph 2.7 states that 'These may include' – it is not intended to be an exhaustive list and every application will be assessed individually.</p> <p>2.10: The Council's pre-application advice service could include initial discussions about Transport Assessments and Travel Plans.</p> <p>Public Transport: S106</p> | No change |

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| | | | transport service is necessary to make the development acceptable in planning terms, and has arisen directly as a result of the development." Surely all development, as noted in paragraph 2.6 for general transport impacts, there are no exceptions to these requirements. Also, to enable development to be 'sustainable' and to minimise air quality / climate change effects, contributions to facilities that encourage non-car based journeys, such as public transport or cycling facilities, should be identified as noted in 2.8. | contributions can only be sought if they are necessary to make the development acceptable in planning terms, and if the requirement has arisen directly as a result of the development. Contributions towards incremental increases in public transport use cannot be sought through S106 agreements – this would be more appropriately paid for by CIL receipts. | |
| Comments Received on Libraries (Topic Paper 4) | | | | | |
| Ms Jenny Allen | Individual response | POB13 | <p>The proposals for libraries are very vague and are not specific enough to identify what the current issues are with the library service and how the service is to be expanded in the long term. There are no statements in this section on 'preserving' or 'enhancing' the current service.</p> <p>The mobile service for hard to reach residents in areas served by the mobile library should be improved. The suggested mitigation should be expanded to include residents who do not have the skills to use PCs, or the ability to get to the mobile library. The existing service does not meet their needs, as it depends on the resident being active enough and available at set times. Access to static library services for residents in the eastern area (Tilehurst) is poor and there should be specific recognition that the service needs to be improved or that the Reading (Tilehurst) Library should be formally recognised as the local service (in</p> | S106 contributions can only be sought if they are necessary to make the development acceptable in planning terms, and if the requirement has arisen directly as a result of the development. After CIL has been implemented, it is likely that the Council will only be able to seek S106 contributions from larger developments where new infrastructure is required. Smaller, more incremental pressures on the service are more appropriately paid for by CIL receipts. | No change |

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| | | | addition to the current mobile service). | However, it is inevitable that the use of CIL receipts will need to be prioritised and not all services will receive the funding they require. Work is continuing between now and April to establish a policy to govern the allocation of CIL receipts, which will provide opportunities for services to seek funding to deliver improvements. | |
| Comments Received on Community Facilities (Topic Paper 5) | | | | | |
| Ms Jenny Allen | Individual response | POB14 | Paragraph 5.8 – Developers of large scale housing developments 'will be' required, not 'may be' required to undertake a community needs assessment. | There may not always be a requirement for a community needs assessment, so the Council will not amend the wording. As part of the work planned as part of the adoption of the Housing Site Allocations DPD, there will be a further refresh of the councils Infrastructure Delivery Plan and Schedule, where infrastructure providers will be invited to submit details of projects required directly as a result of development planned in West Berkshire. The requirement for a community needs assessment can be | No change |

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| | | | | discussed at an early stage in any planning application process for a preferred site. | |
| Comments Received on Healthcare (Topic Paper 6) | | | | | |
| Mrs Louise Gilboy | Downland Practice | POB03 | <p>I am writing on behalf of all the Partners at Downland Practice. Downland Practice has a main GP surgery in Chieveley and a branch site in Compton. Perusing the Housing Site Allocations Development Plan Document, there are three sites which have been identified for development that will increase the number of patients we will have within our practice boundary. The number of houses proposed are: Compton 140, Hermitage 16, Chieveley 7, total 163. This could increase our patient numbers by around 400.</p> <p>Due to recent developments in our area, the building at Chieveley is now near maximum capacity. However, Compton branch does have potential to expand to accommodate these new patients. The existing building is on a site adjacent to the proposed development. It has enough rooms to accommodate the required number of doctors and nurses, but they require refurbishment to make them all fit for additional use, plus suitable space for the associated additional reception and admin staff. The IT infrastructure is at capacity and to provide the associated IT for additional staff, it would require complete rewiring/network provision.</p> <p>We have a number of suggestions as to how we can update the premises to accommodate more patients, and even to future proof for any development in addition to the proposal. These developments would require all costs to come from the S106 or similar external funding streams.</p> | <p>Thank you for responding to the consultation. It is acknowledged that the sites identified for possible development will place pressure on local services and infrastructure. All of these sites would be liable to pay the Community Infrastructure Levy (CIL) at the appropriate rate. In addition, as set out in the Topic Paper, where it is established that specific impacts are caused directly as a result of a development, resulting in the requirement for a specific project, the cost could be sought through the use of a S106 agreement.</p> <p>In order that all the requirements are captured, the Council intends to refresh its Infrastructure Delivery Plan and Schedule prior to the submission for examination of its Housing Site Allocations DPD.</p> | No change to the Topic Paper. The practice will be contacted at the appropriate stage in the forthcoming process to update the Council's Infrastructure Delivery Plan and Schedule. |

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| | | | <p>1) Refurbish existing Compton building, change the layout. Make nurse consultation room fit for use, build an additional patient toilet and reconfigure the reception/dispensing areas. Re wire IT network.</p> <p>2) Rebuild Compton building as a purpose built modern surgery on same site</p> <p>3) Move into a new building constructed within the Compton development and swap or sell the existing site and building for this new one. This option could give an alternative access route to the development. The Partners own the existing site and building and would want to own the new site and building.</p> <p>In conclusion, Downland Practice will have the capacity to have additional patients from these developments, if it receives the funding to support this.</p> | <p>This will involve contacting the Council's service units and partner organisations, including the Downland Practice. At that time you will be invited to submit details of projects required directly and specifically as a result of one development, or where the impact of 5 or less developments combine to create the impact.</p> | |
| Ms Jenny Allen | Individual response | POB15 | <p>Consideration of undertaking a 'Health Impact Assessment', similar to that set out in the London Plan, should be incorporated into the strategy. HIA should be mandatory for large development, or development where there is a risk that existing services could be adversely affected – this point should be linked to the item on Parish Plans.</p> <p>Comments similar to above – this section is not strong enough on the protection of services for the existing communities, and for enhancing the health of communities in the long term. Development should firstly avoid adverse impacts on health, before implementing mitigation via CIL payments.</p> | <p>Financial contributions sought as a result of development cannot resolve any existing deficiencies in current services. Sustainable development will be designed to provide opportunities for walking, cycling and provide recreational amenities.</p> <p>The NPPG states, in relation to health and planning decision making 'A health impact</p> | No change |

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| | | | | assessment may be a useful tool to use where there are expected to be significant impacts'. | |
| Comments Received on Open Space (Topic Paper 7) | | | | | |
| Ms Jenny Allen | Individual response | POB16 | <p>Development should not remove areas of open space in use by the existing community. The needs of new residents should not be addressed before ensuring that the open spaces used by the existing community are protected or enhanced. Only then should additional open space provision be sought for the new development. Pressures on existing facilities, including open space, should be investigated in the same way as pressure on other services and infrastructure. Significant loss of open space from existing communities should be considered in addition to any needs of future residents.</p> <p>The section does not mention the importance of open space for well-being, tranquillity, biodiversity, reduction of light pollution or for clean air. The definition of open space should be updated to reflect current standards.</p> | <p>The protection of open spaces and green infrastructure is of key importance to the Council, and is referred to throughout the Council's Spatial Strategy.</p> <p>In addition, Policy CS18 of the Councils Adopted Core Strategy is 'Green Infrastructure' and states that 'developments resulting in the loss of green infrastructure or harm to its use of enjoyment by the public will not be permitted. Where exceptionally it is agreed that an area of green infrastructure can be lost a new one of equal or greater size and standard will be required to be provided in an accessible location close by'.</p> | No change |
| Mrs Victoria Aston | Sport England | POB18 | Thank you for consulting Sport England on the above document. Sport England notes that the Council has chosen to include the provision of playing fields within the document. | Thank you for taking the time to respond to the consultation. Your comments are noted. | |

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| | | | <p>Sport England does not object to this approach. However, Sport England is concerned that the on-site contributions towards playing fields may not provide adequate playing field space to support new development. For example, the document requires 1.2 hectares of playing field per 1,000 people. A standard adult football pitch is approx. 0.7 hectares. A mini pitch is 0.14 ha (including run-off). Therefore, only larger developments are likely to create a need for a football pitch of a substantial size. For example a 10 home development (assuming 2.3 people per dwelling) will only create a requirement for 0.05ha, which is not large enough to support any pitch. For formal sport a playing field will require a pavilion/community facility alongside it to ensure the use of the facility is maximised.</p> <p>The Council may consider it appropriate to identify a larger off-site facility to pool contributions towards. However, the Council should be aware that in focussing on the use of Section 106 Agreements to secure new playing field provision, the Council should be aware that after April 2015, no more than five planning obligations can be used to pool funds for any one piece of infrastructure/project. Therefore the Council will need to think quite strategically and plan effectively for sports infrastructure delivery in the future linking development sites with specific projects to meet identified sporting needs. This will enable the Council to take a proactive approach and ensure the most effective use of planning obligations and CIL together to help deliver this/meet the needs of the population.</p> <p>Sport England wish to draw the Council's attention to Paragraph 73 of the National Planning Policy Framework (NPPF), "Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new</p> | <p>West Berkshire's standards for Playing Fields and Equipped Play Space are in line with the FIT (Fields in Trust) recommended levels and are considered an appropriate approach to adopt when securing provision of open spaces within development sites. The provision of larger facilities which would accommodate new playing fields is more appropriately funded from receipts of the Community Infrastructure Levy. The proposed Planning Obligations SPD cannot set new space standards, only provide guidance to those wishing to develop in West Berkshire.</p> <p>The Council acknowledges the need to provide additional space for sports fixtures and is working towards a project to deliver this additional provision.</p> | |

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| | | | <p>provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area".</p> <p>It is crucial that the Council have an up-to-date and robust evidence base in order to plan for the provision of sport both playing fields and built facilities. Sport England would highly recommend that the Council undertake a playing pitch strategy (PPS) as well as assessing the needs and opportunities for sporting provision. Sport England provides comprehensive guidance on how to undertake both pieces of work.</p> <p><u>Playing Pitch Strategy</u> http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/ This guidance document provides a recommended step by step approach to developing and delivering a playing pitch strategy (PPS). It covers both natural and artificial grass pitches. Sport England believes that to ensure there is a good supply of high quality playing pitches and playing fields to meet the sporting needs of local communities, all local authorities should have an up to date PPS. By providing valuable evidence and direction a PPS can be of significant benefit to a wide variety of parties and agendas.</p> <p><u>Assessing needs and opportunity for sports provision (Indoor and Outdoor)</u> http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/assessing-needs-and-opportunities-guidance/ This guide is complimentary with the PPS guidance providing the recommended approach for assessing the need for pitch provision. Sport England believes that providing the right facilities in the right place</p> | | |

| Consultee | | Ref. | Consultation Response | Council's Response | Proposed Action |
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| | | | is central to enabling people to play sport and maintain and grow participation. An assessment of need will provide a clear understanding of what is required in an area, providing a sound basis on which to develop policy, and make informed decisions for sports development and investment in facilities. | | |
| Comments Received on Environmental Enhancements (Topic Paper 9) | | | | | |
| Mr Piotr Behnke | Natural England | POB07 | <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Draft Planning Obligations SPD: The only main comment that Natural England would wish to make about this SPD is that it would be good to see inclusion of a requirement for Hydrological implications, in terms of physical disturbance and pollution events, to be considered and potentially conditioned. This is specifically important in certain circumstances where the River Kennet Site of Special Scientific Interest (SSSI) or River Lambourn SSSI and Special Area of Conservation (SAC) and associated sites are involved. New developments within a 2km distance of these rivers must ensure that they provide a drainage strategy as part of their submission, detailing what impacts if any there might be upon local hydrology and what mitigation is proposed to alleviate any significant impacts upon the two SSSIs.</p> | <p>Thank you for responding to the consultation.</p> <p>The proposed SPD for Planning Obligations is concerned with mitigating the impact caused by development, and sets out where the Council will seek obligations or contributions from developers, over and above any CIL payable. S106 agreements should not be used where it is possible to place conditions on a planning permission. The provision of a drainage strategy and any associated on-site mitigation measures should be dealt with using planning conditions. The failure to provide measures or strategies should render a development unacceptable.</p> | No changes proposed to the Topic Paper |

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| Comments Received on Preventing Crime and Disorder (Topic Paper 12) | | | | | |
| Mr Simon Dackombe | Thames Valley Police | POB06 | <p>Thames Valley Police (TVP) welcome the acknowledgement within Section 12 of the draft document of the important role of ensuring that new development does not give rise to additional crime and disorder or the fear of crime and disorder.</p> <p>We also welcome the identification of the role that CCTV and ANPR can play in addressing these issues and the potential requirement for the provision of on-site Police facilities on larger scale developments.</p> <p>TVP's only suggestion with regard to the document would be that the references to CCTV and ANPR provision are more explicit and linked directly to being secured via developer contributions and S106 Agreements (subject to meeting the necessary tests).</p> <p>We would suggest that the section on ANPR/CCTV is relocated under the sub heading "Requirements as a result of Development" to make it clear that these items may be requested as part of S106 Agreements.</p> | <p>Thank you for responding to the consultation; we have given your comments due consideration.</p> <p>In West Berkshire, CCTV and ANPR form two of a number of Crime Prevention Initiatives.</p> <p>We have restructured the Topic Paper to make it clearer that CCTV and ANPR could form part of appropriate Crime Prevention Initiatives required as part of development in West Berkshire.</p> | Topic Paper 12 to be amended |
| Ms Jenny Allen | Individual response | POB17 | <p>Paragraph 12.21 should recognise as well that if development increases existing settlements to a particular size, then this would also trigger the need for new police infrastructure.</p> | <p>Following the implementation of CIL, contributions can no longer be sought using S106 agreement for incremental increases as a result of a number of developments. New police infrastructure required as the cumulative effect of smaller developments on a settlement could be a call on CIL receipts.</p> <p>The refresh of the Council's</p> | No changes proposed as a result of this comment |

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| | | | | Infrastructure Delivery Plan will give TVP the opportunity to establish the need for additional police infrastructure as a result of the emerging preferred development sites. | |