

## **Report to West Berkshire Council**

**by William Fieldhouse BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Date: 8 April 2025

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the West Berkshire Local Plan Review 2022-2039**

The Plan was submitted for examination on 31 March 2023

The examination hearings were held between 8 May 2024 and 3 October 2024

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## Contents

Abbreviations used in this report.....	3
Non-Technical Summary.....	4
Introduction.....	5
Context of the Plan.....	7
Public Sector Equality Duty.....	8
Assessment of Duty to Co-operate.....	8
Assessment of Other Aspects of Legal Compliance.....	9
Assessment of Soundness.....	12
Issue 1 – Amount of housing, industrial and warehouse and office development ....	12
Issue 2 – Spatial strategy including settlement hierarchy and the AWEs.....	15
Issue 3 – Strategic policies and neighbourhood plans.....	24
Issue 4 – Site selection methodology.....	27
Issue 5 – North East Thatcham strategic site.....	29
Issue 6 – Sandleford Park strategic site.....	41
Issue 7 – Non-strategic housing allocations.....	42
Issue 8 – Housing land supply.....	45
Issue 9 – Housing development management policies.....	56
Issue 10 – Travellers' accommodation.....	58
Issue 11 – Economic development.....	62
Issue 12 – Other development management policies.....	67
Overall Conclusion and Recommendation.....	74
Schedule of Main Modifications.....	Appendix

## Abbreviations used in this report

2004 Act	The Planning & Compulsory Purchase Act 2004 (as amended)
2012 Regulations	The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
AONB	North Wessex Downs Area of Outstanding Natural Beauty
AWE	Atomic Weapons Establishment
The Council	West Berkshire Council
DEPZ	Detailed Emergency Planning Zone
NPPF	National Planning Policy Framework
ONR	Office for Nuclear Regulation
OSEP	Off-Site Emergency Plan
The Plan	The West Berkshire Local Plan Review 2022-2039
PPG	Planning Practice Guidance
PPTS	Planning Policy For Traveller Sites
sqm	square metres

## Evidence and Examination Documents

All of the Council's supporting evidence submitted with the Plan along with documents that I issued, requested or accepted during the examination were published on the examination website. Each document has its own individual reference number such as CD1, HOU6, INF5a, etc. Where appropriate, I refer to documents by their reference numbers in this report.

## Non-Technical Summary

This report concludes that the West Berkshire Local Plan Review 2022-2039 provides an appropriate basis for the planning of the district, provided that a number of main modifications are made to it. West Berkshire Council has specifically requested that I recommend any main modifications necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed main modifications and policies map changes, and updated the sustainability appraisal and habitats regulations assessment. The main modifications, policies map changes and updated sustainability appraisal and habitat regulations reports were subject to public consultation over an eight week period. In some cases I have amended the detailed wording of the modification and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The **main modifications** can be summarised as follows:

- **Plan period** modified to 2023 to 2041 (rather than 2022 to 2039).
- Inclusion of a **key diagram**.
- **Housing requirement** modified to a minimum 9,270 between 2023 and 2041 (average of 515 homes per year) rather than 8,721 to 9,146 between 2022 and 2039 (513 to 538 homes per year).
- **Housing supply** increased to 9,493 homes between 2023 and 2041 (rather than 9,057 between 2022 and 2039) and confirmation that the Plan identifies a supply of specific, deliverable sites for five years following the intended date of adoption.
- Policy SP17 **North East Thattham** modified to propose up to approximately **2,500 homes** (rather than 1,500) and to ensure the timely and coordinated provision of green, social and physical infrastructure and the achievement of sustainable development.
- Inclusion of four **additional housing allocations**: CA12 (225 homes) and CA17 (45 homes) at **Thattham**; TIL13 (138 homes) at **Tilehurst**; and PAN8 (25 homes) at **Pangbourne**.
- Changes to the **settlement boundaries** at Chieveley, Newbury, Pangbourne, Thattham and Tilehurst.
- **Employment land requirement** modified to a minimum of 57,531 sqm for offices and 98,196 sqm for industry and warehouses between 2023 and 2041 (rather than 50,861 sqm and 91,109 sqm between 2022 and 2039).
- Policy SP2 modified to protect the setting of the **North Wessex Downs AONB**.
- Policy SP4 modified to clarify the approach to managing development around the **Atomic Weapons Establishments** at Aldermaston and Burghfield
- Inclusion of an additional policy relating to **RAF Welford** and **Denison Barracks**.
- A number of other main modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the West Berkshire Local Plan Review 2022-2039 ("the Plan") in terms of section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with other legal requirements and whether it is sound. The National Planning Policy Framework published in September 2021 ("NPPF") paragraph 35 makes it clear that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy.
2. Revised versions of the NPPF were published during the examination, in September and December 2023, December 2024 and February 2025. However, the transitional arrangements in those documents meant that I continued to examine the Plan in the context of NPPF 2021 as that remained the relevant previous version. All references to the NPPF in this report are to the 2021 version unless otherwise specified.
3. The starting point for the examination is the assumption that the Council submitted what it considered to be a sound and legally compliant plan. The West Berkshire Local Plan Review 2022-2039 submitted in March 2023<sup>1</sup> is the basis for my examination. It is the same document as was published in January 2023 for consultation under regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the 2012 Regulations").
4. In the first few months of the examination, having considered the representations made under regulation 20 and my preliminary questions, the Council decided to carry out further work to inform consideration of whether certain aspects of the Plan were sound. Staff resource issues at the Council affected the time it took to complete that work and, later in the examination, to respond to my matters, issues and questions.
5. In May 2023, as a result of local government elections, the political administration of the Council changed. In December 2023, an Extraordinary Meeting of the Council was arranged to approve the withdrawal of the Plan under section 22 of the 2004 Act. However, prior to that meeting, the Secretary of State directed the Council not to take any step to withdraw the Plan from examination and, on conclusion of the examination, to publish my report and consider adopting the Plan including any modifications that I recommend<sup>2</sup>.

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<sup>1</sup> CD1.

<sup>2</sup> Letter from the Minister of State for Housing, Planning and Building Safety to Councillor Lee Dillon (19 December 2023).

6. Those circumstances led to considerable delay in the examination process and meant that I was unable to commence the hearing sessions until May 2024, more than a year after the Plan had been submitted.

## Main Modifications

7. In accordance with section 20(7C) of the 2004 Act, the Council requested that I recommend any main modifications necessary to rectify matters that make the Plan not sound and/or not legally compliant, and thus incapable of being adopted<sup>3</sup>. This report explains why the recommended main modifications are necessary. The main modifications are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
8. Following the examination hearings, the Council prepared a schedule of proposed main modifications and changes to the policies map, and carried out further sustainability appraisal and habitats regulations assessment<sup>4</sup>. The main modifications schedule, policies map changes, and updated sustainability appraisal and habitat regulations assessment reports were subject to public consultation for eight weeks between 6 December 2024 and 31 January 2025. A total of around 730 representations from around 270 representors were received during that period.
9. I have taken account of the consultation responses in coming to my conclusions in this report and have made some amendments to the wording of the main modifications and added further modifications where these are necessary for consistency or clarity. Where appropriate I have highlighted these amendments in this report.
10. I considered whether any additional steps in the examination, such as further hearings, sustainability appraisal or public consultation, should be taken as a result of the responses to the main modifications consultation or changes I have made to the main modifications. I decided that none was necessary in the interests of fairness or to prevent prejudice to any party's interests. This is because the representations relate to matters that have been considered through the examination, and none of the changes I have made significantly alters the modified policies in the Plan other than by ensuring that they are clear and therefore effective.

## Policies Map

11. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide

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<sup>3</sup> Letter from Executive Director dated 5 December 2024 [EXAM66].

<sup>4</sup> EXAM62, EXAM63, EXAM64 and EXAM65.

a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map is the Proposed Submission West Berkshire Local Plan Review 2022-2039 Policies Map<sup>5</sup>.

12. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published main modifications to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published for consultation alongside the main modifications on 6 December 2024<sup>6</sup>. In this report I identify one amendment that is needed to those further changes in the light of the consultation responses<sup>7</sup>.
13. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Proposed Submission West Berkshire Local Plan Review 2022-2039 Policies Map and the further changes published alongside the main modifications referred to above, incorporating the additional amendment identified in this report.

## Context of the Plan

14. West Berkshire District is a unitary authority in south east England with a population of around 161,400. It is largely rural, and 74% of the area forms part of the North Wessex Downs Area of Outstanding Natural Beauty (AONB<sup>8</sup>). The two largest settlements are Newbury and Thatcham, whereas suburban areas of Reading extend into the east of the district (Calcot, Purley on Thames, and Tilehurst). Two Atomic Weapon Establishments (AWE), Aldermaston and Burghfield, are located in the District between Thatcham and Reading. There are good road connections to London, Reading, Oxford and Swindon, including the M4 and the A34, and the main railway line connects Newbury to the west of England and London.
15. When adopted, the Plan will replace the saved policies of the West Berkshire District Local Plan 1991-2006 (adopted 2002); the West Berkshire Core Strategy Development Plan Document 2006-2026 (adopted 2012); and the Housing Site Allocations Development Plan Document (adopted 2017). It will then form part of the statutory development plan for the district along with the

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<sup>5</sup> CD2.

<sup>6</sup> Schedule of Changes to the Policies Map [EXAM63].

<sup>7</sup> Amendment to the Thatcham settlement boundary in relation to modified allocation CA12.

<sup>8</sup> In November 2023, AONBs were rebranded National Landscapes. However, for consistency with the submitted Plan, I continue to refer to the AONB.

West Berkshire Minerals and Waste Local Plan 2022-2037 (adopted 2022), the Stratfield Mortimer Neighbourhood Plan (made 2017), the Compton Neighbourhood Plan (made 2022), the Hermitage Neighbourhood Plan (made 2024), and the Cold Ash Neighbourhood Plan (made 2024), and any other neighbourhood plans subsequently made.

## Public Sector Equality Duty

16. The Council's Equality Impact Assessment<sup>9</sup> concluded that the Plan would have a positive impact on people with protected characteristics as defined in the Equality Act 2010<sup>10</sup>. I have had due regard to the aims expressed in section 149(1) of that Act in my consideration of several matters during the examination including meeting the housing needs of the elderly, people with disabilities, and Gypsies and Travellers; and the provision of improved, and safe access to, open space, recreation, health, education, leisure, community and faith facilities.

## Assessment of Duty to Cooperate

17. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with the duty to cooperate imposed on it by section 33A. The Council's Duty to Cooperate Statement<sup>11</sup> provides information about its engagement with local planning authorities and prescribed bodies on strategic matters<sup>12</sup> during the preparation of the Plan.
18. The most significant strategic matters addressed during the preparation of the Plan were Reading's unmet housing need; meeting the accommodation needs of Gypsies and Travellers; a potential strategic site at Grazeley in the east of the district; the implications of AWE Aldermaston and AWE Burghfield; meeting the need for employment land; provision of health care facilities; impacts on the strategic road network; impacts on the AONB; and impacts on water quality of the River Lambourn, Kennet and Lambourn Floodplain, and Kennet Valley Alderwoods Special Areas of Conservation.
19. The mechanisms the Council used to address strategic matters with other local planning authorities and relevant prescribed bodies involved both officers and elected members. They included regular meetings of established partnership groups; specific meetings to discuss particular issues; workshops; exchanges of

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<sup>9</sup> CD10.

<sup>10</sup> Age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

<sup>11</sup> CD11.

<sup>12</sup> A "strategic matter" is (a) sustainable development or use of land that has or would have a significant impact in at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and (b) sustainable development or use of land in a two-tier area if the development or use is a county matter or would have a significant impact on a county matter [section 33A(4) of the 2004 Act].



written and oral technical advice; development of joint methodologies; preparation of funding bids; preparation and use of shared evidence; memorandums of understanding; and statements of common ground. The evidence indicates that those mechanisms were effective in achieving active and ongoing constructive engagement where necessary, and no local planning authorities or other prescribed bodies claim that the Council failed to comply with the duty to cooperate<sup>13</sup>.

20. Thus, whilst I consider potential soundness issues associated with some of the strategic matters referred to above later in this report, I am satisfied that the Council complied with the duty to cooperate during the preparation of the Plan.

## **Assessment of Other Aspects of Legal Compliance**

### **Local development scheme**

21. The Plan was prepared in accordance with the Council's Local Development Scheme adopted in January 2023<sup>14</sup>, although the length of the examination means that it will be adopted at a later date than envisaged when submitted.

### **Public consultation**

22. A number of concerns were raised in representations about the nature, timing and effectiveness of the public consultation carried out during the preparation of the Plan including in relation to the Council's website, lack of public meetings, and availability of documents. However, the Council's Consultation Statement<sup>15</sup> demonstrates that, in preparing the Plan, it complied with its Statement of Community Involvement adopted in January 2020 as required by section 19(3) of the 2004 Act. Furthermore, whilst the Plan was submitted for examination within a month of the end of the regulation 19 consultation period, it is clear from the Consultation Statement that all of the representations were considered by the Council.

### **Sustainability appraisal**

23. The Council carried out a sustainability appraisal of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under regulation 19<sup>16</sup>. A non-technical summary

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<sup>13</sup> Council response to SPQ3 [EXAM3 20 October 2023].

<sup>14</sup> CD9.

<sup>15</sup> CD4a to CD4c.

<sup>16</sup> CD3a to CD3k.

was published in October 2023<sup>17</sup>. The appraisal was updated to assess the main modifications<sup>18</sup>.

24. The sustainability appraisal considered reasonable alternatives to the amount of housing development to be accommodated, including above local housing need; the spatial strategy (as discussed under main issue 1 below); site allocations<sup>19</sup>; and, where relevant, development management policies. Whilst a number of alternatives suggested by representors were not expressly appraised, I am satisfied that, in the context of the significant constraints that exist in the district (including the AONB, the two AWEs, and areas at risk of flooding), all reasonable alternatives were considered in a proportionate manner through the ongoing sustainability appraisal during the preparation and examination of the Plan.
25. It may be the case that when the Plan was published for consultation under regulation 19 in January 2023, the Council's notification letter and other publicity material did not explicitly invite comments on the sustainability appraisal report. However, the report was made available and referred to, along with other supporting documents, and comments were made about it in various representations. The evidence, including the Council's Consultation Statement<sup>20</sup>, clearly indicates that those comments were considered by the Council. When the updated sustainability appraisal report was published on the Council's website for consultation alongside the proposed main modifications, consultees were explicitly invited to express their views about it.
26. Therefore, I am satisfied that the sustainability appraisal complied with the necessary legal requirements, and that it adopted a systematic approach based on proportionate, adequate evidence and was used by the Council to inform decisions about the content of the Plan, including which sites to allocate, having regard to reasonable alternatives. Where relevant, I return to the sustainability appraisal, including its assessment of the reasonable alternatives, in my assessment of soundness issues later in this report.

### **Habitat regulations assessment**

27. A habitat regulations assessment was carried out during the preparation of the Plan and updated during the examination to consider the proposed main modifications<sup>21</sup>. The assessment finds that the Plan, in combination with other

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<sup>17</sup> CD3

<sup>18</sup> EXAM64.

<sup>19</sup> The sustainability appraisal was updated during the examination hearings to assess each of the allocations included in the Plan that are retained from previously adopted plans using the same methodology as that used to assess the new residential site allocation options [EXAM26C 20 May 2024].

<sup>20</sup> CD4a, and oral evidence at hearings on 8 May and 12 June 2024.

<sup>21</sup> CD8 and EXAM65.

plans and projects, has the potential to have significant effects on the integrity of the River Lambourn, Kennet and Lambourn Floodplain, and Kennet Valley Alderwoods Special Areas of Conservation. However, the assessment concludes that those in-combination effects can be avoided through a combination of strategic and proposal-specific mitigation measures. The Plan includes policies aimed at ensuring that those mitigation measures are implemented. I consider whether they will be effective in that regard later in this report, and recommend main modifications accordingly.

### **Strategic priorities**

28. The development plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in West Berkshire. These include policies in the Plan aimed at mitigating and adapting to climate change; achieving high quality, sustainable development; meeting housing needs; supporting economic growth; enhancing town centres; promoting cultural distinctiveness; conserving and enhancing the historic and natural environment and AONB; improving green infrastructure; promoting sustainable transport; and providing infrastructure to support development<sup>22</sup>.

### **Climate change**

29. The development plan, taken as a whole, includes policies designed to secure that the development and use of land in West Berkshire contribute to the mitigation of, and adaptation to, climate change. These include strategic and development management policies in the Plan relating to the spatial strategy, flood risk, water quality and resources, green infrastructure, design quality, energy, air quality and transport.

### **Superseded policies**

30. Appendix 7 in the Plan sets out a schedule of policies in the West Berkshire District Local Plan 1991-2006, the West Berkshire Core Strategy 2006-2026, and the Housing Site Allocations DPD 2006-2026 that will be superseded by policies in the Plan. However, Appendix 7 needs to be modified to clarify that a number of policies in the Housing Site Allocations DPD 2006-2026 that are not included in the Plan are superseded by policy SP12 [MM110]. This is necessary to ensure compliance with regulation 8 of the 2012 Regulations.

### **North Wessex Downs AONB**

31. As required by section 245 of the Levelling-up and Regeneration Act 2023, in examining the Plan I have sought to further the purpose of conserving and

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<sup>22</sup> Plan paragraph 3.5.

enhancing the natural beauty of the North Wessex Downs AONB. In so doing, I have taken account of the Management Plan 2019-2024<sup>23</sup> and other relevant evidence when considering the effects of development both within and affecting the setting of the AONB. As a consequence, and to ensure consistency with national planning policy and relevant guidance<sup>24</sup>, I recommend a number of main modifications to the Plan. These are set out under the relevant main issues of this report.

### **Other legal requirements**

32. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

## **Assessment of Soundness**

### **Main Issues**

33. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 12 main issues upon which the soundness of the Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

### **Issue 1 – Are the amounts of housing, industrial and warehouse, and office development that the Plan identifies as being needed justified and consistent with national policy?**

34. National policy expects strategic policies to look ahead over a minimum 15 year period from adoption and, as a minimum, provide for objectively assessed needs for housing and other uses, as well as needs that cannot be met within neighbouring areas, other than in a number of defined circumstances<sup>25</sup>.

### **Plan period**

35. The submitted Plan covers the period 2022 to 2039 and assesses the quantified need for housing, industrial and warehouse, and office development on that basis. However, the Plan will not be adopted until after 1 April 2025 meaning that, to be consistent with national policy, relevant strategic policies need to look ahead to 2041. Furthermore, to reflect the standard method for calculating local

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<sup>23</sup> LAN10.

<sup>24</sup> In particular, NPPF 176 and 177 and Guidance for relevant authorities on seeking to further the purposes of protected landscapes (Defra 16 December 2024).

<sup>25</sup> NPPF 11 and 22.

housing need<sup>26</sup> and the latest comprehensive evidence relating to housing land supply, the base date of the Plan should be changed to 2023. I therefore recommend that the Plan be modified to cover the period from 1 April 2023 to 31 March 2041 [MM18 and MM30]. I deal with the implications of this for relevant parts of the Plan in subsequent sections of this report.

## Housing development

36. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Local housing need should be calculated at the start of the plan-making process using the standard method and then be kept under review and revised where appropriate as the figure may change due to the inputs being variable.
37. Paragraph 6.2 of the Plan states that local housing need calculated using the standard method was 513 dwellings per year based on 2022 data. However, the figure was 515 dwellings per year at the time the Plan was submitted for examination in March 2023 based on the latest affordability data<sup>27</sup>.
38. Policy SP12 states that provision will be made for 8,721 to 9,146 net additional homes per year between 2022 and 2039 (513 to 538 per year). A main modification is required to delete reference to a range, as that does not establish an unambiguous housing requirement figure for the district or serve any clear purpose. Furthermore, to be up to date, the minimum housing requirement should be based on local housing need calculated using the standard method at the time the Plan was submitted for examination (515 dwellings per year), and cover the modified plan period 2023 to 2041 ie a total of at least 9,270 dwellings. These changes ensure that policy SP12 is consistent with national policy and justified [MM18].
39. The Council considered a higher level of housing growth than the standard method figure during the preparation of the Plan. If achieved, such a scale of development would be likely to deliver more affordable housing on market-led schemes in accordance with policy SP19, thereby reducing the expected shortfall of around 3,500 affordable homes over the plan period<sup>28</sup>. However, such an approach was rejected by the Council, primarily on the grounds of the environmental impacts and lack of suitable, available sites. Such a decision was reasonable, and it is not therefore necessary to modify the Plan to set a housing requirement above local housing need to deliver more affordable homes.

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<sup>26</sup> NPPF 66 and PPG ID:2a-001-20190220.

<sup>27</sup> Council response to SPQ24 [EXAM3].

<sup>28</sup> Council response to PQ38 [EXAM2].

40. Paragraphs 6.5 and 6.6 in the Plan refer to Reading Borough Council having identified a shortfall of 230 dwellings in their current local plan period to 2036, and to this need being met in the West of Berkshire area. However, it is clear from evidence that became available during the examination that Reading Borough Council can now identify more than sufficient supply to meet their current local plan requirement<sup>29</sup>. It is not necessary, therefore, to modify policy SP12 to increase the housing requirement above local housing need to make provision for unmet need in Reading. However, the reasoned justification needs to be modified to reflect the latest evidence relating to Reading's housing supply; this will ensure the Plan is justified and effective **[MM19]**. Housing needs in West Berkshire, Reading and other neighbouring authorities will need to be considered again in future reviews of the relevant local plans in the context of current NPPF; there is no need to modify the Plan further in that regard.

### **Industrial and warehouse development**

41. Paragraph 7.8 in the Plan refers to a minimum requirement of 91,109 sqm of industrial floorspace or 23 hectares of land between 2022 and 2039. This is based on analysis of past trends, labour demand and supply, economic forecasts, the local property market and potential impacts of the COVID pandemic<sup>30</sup>. As the requirement figure in the Plan reflects the highest growth scenario based on past trends, it represents a positive approach. However, the Plan needs to be modified so that the requirement applies to the modified plan period, and is set out in policy rather than only in the reasoned justification. Policy SP20 and the reasoned justification should, therefore, refer to a minimum requirement of 98,196 sqm for the period 2023 to 2041 **[MM30 and MM31]**. This will ensure that the Plan is justified, effective and consistent with national policy.
42. I deal later in this report with whether the Plan identifies sufficient land to ensure that the minimum requirement for additional industrial and warehouse floorspace can be met.

### **Office development**

43. Paragraph 7.4 in the Plan refers to a need for a net increase in office floorspace of 50,816 sqm to 2039. This is based on the same evidence as the requirement for industrial and warehouse floorspace described above. For the same reasons, policy SP20 and reasoned justification need to be modified to refer to a minimum requirement of 57,531 sqm of additional office floorspace for the

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<sup>29</sup> Council response to AP4 [EXAM26]

<sup>30</sup> Employment Land Review 2020 and Addendum 2022 [EMP3 and EMP4]

period 2023 to 2041 [MM30 and MM31]. Again, I consider the Plan's approach to the supply of office floorspace later in this report.

## **Conclusion**

44. I therefore conclude that policies SP12 and SP20, and associated reasoned justification, need to be modified as described above to ensure that they are sound in terms of setting minimum requirements for the amount of housing, industrial and warehouse, and office development in the district.

## **Issue 2 – Does the Plan set out an appropriate spatial strategy for West Berkshire, taking into account reasonable alternatives?**

45. Policy SP1 sets out a development strategy based on different approaches in three distinct spatial areas (Newbury and Thatcham; the Eastern Area; and the North Wessex Downs AONB) and the settlement hierarchy defined in policy SP3. There are a number of other policies in the Plan that also form key parts of the spatial strategy including SP2 (the AONB); SP4 (AWE Aldermaston and AWE Burghfield); and DM2 (separation of settlements around Newbury and Thatcham).
46. Before looking at each of those elements of the spatial strategy, I consider whether they were chosen having regard to consideration of reasonable alternatives in the context of the settlement pattern and other relevant characteristics of the district.

## **Settlement hierarchy**

47. Policy SP3 defines a settlement hierarchy comprising three urban areas; six rural service centres; eight service villages; and a number of smaller settlements listed in Appendix 2 with settlement boundaries defined on the policies map. The hierarchy was defined based on a reassessment of that in the adopted Core Strategy to take account of each settlement's current roles, infrastructure and services.
48. Specifically, the assessment used a scoring system based on an audit of services and facilities including rail and bus services; convenience stores; post offices; schools; GPs and pharmacies; community centres; libraries; sport and recreation facilities; places of worship; public houses; and employment opportunities. However, it also inevitably necessitated judgements to be made, based on that consistent and systematic evidence base, about the role and character of each settlement and its relationship to others.

49. Whilst certain places could no doubt have been categorised differently for a variety of reasons, I am satisfied that the approach taken by the Council was based on adequate and proportionate evidence and reasonable in the context of relevant national policy and guidance relating to sustainable development, accessibility, community facilities and the vitality of rural communities.

### **Reasonable alternative spatial strategies**

50. Two broad spatial strategy options were considered during the preparation of the Plan: retaining the approach in the adopted Core Strategy based on four spatial areas (Newbury/Thatcham; AONB; Eastern; and East Kennet Valley); and a revised spatial strategy based on three spatial areas (Newbury/Thatcham; AONB; and Eastern/East Kennet Valley combined), with an increased focus on Newbury and Thatcham.
51. As part of this, consideration was given to options for distributing housing development including: rolling forward the distribution from the adopted Core Strategy; increased focus on the Eastern Area (Grazeley); reduced focus on the AONB; continued focus on Newbury; and increased focus on Thatcham.
52. In the context of the settlement pattern in the district; the significant constraints to development including flood risk, the AWEs and the AONB; and the Council's strategic priorities, the Plan's spatial strategy is appropriate taking account of the reasonable alternatives. In particular, it strikes an appropriate balance between seeking to meet the identified need for development in the most accessible locations in and around the main settlements, particularly Newbury and Thatcham, and protecting the natural environment and landscape quality of the district, whilst also supporting rural communities.
53. I turn now to consider each of the elements of the spatial strategy set out in policies SP1 to SP4: Newbury and Thatcham; North Wessex Downs AONB; and the Eastern Area.

### **Newbury and Thatcham Area**

54. Policy SP1 seeks to ensure that Newbury retains its key role as the administrative centre and major town centre, is a focus for housing and business development, and the main focus for office development. Thatcham is described as a focus for housing and business development, regeneration and improved services and facilities, whilst the villages surrounding Newbury and Thatcham are expected to retain their existing roles. The Plan proposes a large allocation on the edge of both Newbury and Thatcham, along with five other allocations in the area. The West Berkshire Strategic Vision 2050<sup>31</sup> provides the

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<sup>31</sup> SET3a to SET3e (2022).



strategic context for this approach, and modifications are required to refer to this in order to ensure the Plan is justified and consistent with national policy<sup>32</sup> [MM1, MM24 and MM26]. I consider whether each of the allocations in the Newbury and Thatcham area is sound later in this report, but the land supply identified in the submitted Plan has capacity for around 7,000 new homes proposed in this part of the district<sup>33</sup>. For the reasons set out later in this report, I recommend modifications to increase the capacity of the North East Thatcham strategic site and include two additional allocations at Thatcham. This would further boost the supply in the Newbury and Thatcham area which is consistent with the objectives of policy SP1.

55. In order to prevent the coalescence of Newbury and Thatcham and to maintain the separate identity of the distinct settlements around both towns, policy DM2 states that development which would detract from the open or rural character of five gaps between settlements (which are defined on the policies map<sup>34</sup>) will not be permitted and states that development will only be allowed if two criteria are met. This restrictive approach is justified given that suitable land has been allocated for development in and on the edge of the two towns, and the important role that the remaining gaps, which are limited in extent, perform in preventing the merging of the named settlements, safeguarding their individual identities, maintaining a strong sense of place, and protecting the landscape character of the surrounding countryside. Whilst the designated gaps include some developed sites in use and disused brownfield land, including Newbury Leisure Park, this does not undermine their strategic purpose. Furthermore, development is not ruled out on such sites within the gaps provided that it meets the requirements of policy DM2 and other relevant policies in the Plan.
56. The large scale development at North East Thatcham proposed in policy SP17 (which I consider in detail under main issue 5) would reduce the gap between the town and the village of Upper Bucklebury. Modifications to the reasoned justification for policy SP17 explain that a revised settlement boundary to Thatcham will be defined in a review of the Plan when the extent of the built up area has been determined through the masterplanning and planning application processes and that consideration will then be given to whether a gap needs to be defined between the two settlements in line with policy DM2 through an update to the Plan [MM26]. That represents a justified approach that will be effective in helping to safeguard the separate identity of Upper Bucklebury and its landscape setting in the long term.

## North Wessex Downs AONB

57. Policy SP1 states that there will be appropriate and sustainable growth in the AONB, which covers around 74% of the district. Policy SP2 refers to

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<sup>32</sup> NPPF 22.

<sup>33</sup> EXAM21.

<sup>34</sup> Newbury; Thatcham; Donnington; Enborne Row/Wash Water; Cold Ash; and Ashmore Green.

development supporting local communities and the rural economy in the AONB. The evidence indicates that small site windfalls are anticipated to deliver fewer than 450 homes in the whole of the AONB over the plan period<sup>35</sup> which the Council concluded would be insufficient to achieve the aims of the spatial strategy. Consideration was therefore given during the preparation of the Plan to identifying suitable and available sites that could be allocated for 10 or more dwellings on the edge of towns and villages in the AONB having regard to the settlement hierarchy and an assessment of the potential impact on landscape character.

58. A total of ten allocations in the AONB are included in the Plan which, collectively, have capacity for around 350 dwellings. These allocations, along with sites under construction or with planning permission, sites to be allocated in neighbourhood plans, and anticipated windfalls mean that a total of just over 1,000 homes are expected to be built in the AONB in the plan period<sup>36</sup>. This would be consistent with the Plan's spatial strategy and with national policy aimed at maintaining and enhancing rural communities. Whilst I consider whether each of the allocations is sound later in the report, I am satisfied that at a strategic level there are exceptional circumstances to justify allocating sites for major development in the AONB based on the clear need for the development, the fact that the particular local needs could not be met outside the AONB, and the fact that landscape impacts have been appropriately assessed and can be effectively mitigated<sup>37</sup>.
59. Overall, therefore, the spatial strategy relating to the AONB is justified and consistent with national policy. Whilst the Plan does not allocate sites at some rural service centres in the AONB this is because no suitable sites were identified having regard to the likely landscape impact or because sites are to be allocated in forthcoming neighbourhood plans. For the reasons set out later in this report, I recommend a modification to allocate an additional site for 25 dwellings at Pangbourne, one of the rural service centres in the AONB. Given my findings above, there is certainly no strategic reason why the Plan needs to be modified to include additional allocations in the AONB.
60. However, a modification is required to the reasoned justification to policy SP2 to clarify that exceptional circumstances have been demonstrated to justify the major development allocations in the AONB and therefore proposals that meet the requirements of the relevant allocation policy, along with other relevant policies, will be deemed to be in accordance with the development plan and consistent with national policy [**MM5**]. This will ensure that the Plan is justified,

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<sup>35</sup> EXAM21.

<sup>36</sup> EXAM21.

<sup>37</sup> HOU6 chapter 5.

and provide an effective approach for preparing and determining planning applications in the future.

61. The Plan sets a requirement for the Hungerford and Lambourn neighbourhood plans to identify sites for 55 and 25 homes respectively. I consider whether that is justified later in this report. However, it is necessary to modify the reasoned justification to policy SP2 to clarify that if neighbourhood plans propose major development in the AONB to meet those requirements they would need to demonstrate exceptional circumstances [MM5]. This will ensure consistency with national policy and an effective approach for preparing neighbourhood plans in the future.
62. A modification is required to policy SP2 to clarify how proposals affecting the setting of the AONB will be assessed, including with regard to the interrelationship with the AONB and its landscape character and special qualities, and proposals being sensitively located and designed to avoid or minimise any adverse impacts on the AONB [MM4]. This will ensure consistency with national policy and provide an effective development management policy.
63. Policy SP2 and paragraphs 4.27 and 4.28 set out an approach to determining what constitutes major development in the AONB and how proposals for such development will be assessed. National policy is clear that whether a proposal is major development is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the AONB was designated. Whilst some of the detailed wording in the policy and reasoned justification differs somewhat from that in the NPPF, and further information is included, I am satisfied that there is no significant inconsistency with national policy and that decision makers will still have the role of determining whether any particular proposal does represent major development. Moreover, given that a large proportion of the district is within the AONB, and the fact that the Council receives a high number of planning applications each year for development within the designated area, the inclusion of such a policy in the Plan sets out a clear approach to provide an effective context for preparing and determining planning applications on a consistent basis.
64. As referred to earlier in this report, the Levelling Up and Regeneration Act 2023 amended the statutory duty relating to AONBs. In November 2023, AONBs were rebranded National Landscapes. Whilst the Council may wish to make minor, additional modifications to the Plan to reflect these changes, they do not affect the soundness of the Plan and therefore I am not recommending any main modifications as a consequence of them.

## **Eastern Area**

65. Policy SP1 identifies Theale as the focus for additional housing in the Eastern Area. However, the policy is silent on the role of the Eastern Urban Area identified in the settlement hierarchy (which comprises Calcot, Purley on Thames and Tilehurst on the western edge of Reading). A main modification is therefore required to policy SP1 to define the Eastern Urban Area as a focus for housing development to ensure an effective and justified approach [MM3].
66. Much of the land in the Eastern Area is constrained by flood risk and restrictions around the two AWEs. Thus despite its location close to Reading, and the presence of rural service centres of Burghfield Common, Mortimer and Theale, the new allocations in the submitted Plan collectively only have capacity for around 100 dwellings contributing to a total of around 1,500 dwellings in the area taking account of commitments, windfalls and allocations in the made Stratfield Mortimer neighbourhood plan. No other sites were considered to be available and suitable in the Eastern Area when the Plan was submitted.
67. However, for reasons set out elsewhere in this report, modifications are required to increase the housing land supply identified in the Plan, taking account of evidence that became available during the examination that demonstrates that a number of omission sites are suitable for housing development. One of those sites (TIL13 Pincents Lane, Tilehurst) is in the Eastern Area, and its inclusion in the Plan would increase the supply in this part of the district which would assist in the delivery of the spatial strategy.

### **Settlement boundaries**

68. The settlement boundaries defined in the Plan, along with the settlement hierarchy defined above, make a significant contribution to the definition and implementation of the spatial strategy. This is because policies SP1 and SP3 make clear that development within the boundaries of the settlements in the hierarchy will be supported, whereas all land outside settlement boundaries (including that within hamlets and isolated groups of dwellings) will be treated as open countryside where development will be more restricted.
69. The settlement boundaries were defined using a landscape-led approach and specific criteria to determine what land and buildings on the edges of the built up areas should be included or excluded<sup>38</sup>. The intention was to define the existing built up area, and exclude land that more closely related to the wider countryside. Alternative approaches could have been taken, for example to draw the boundaries more loosely with the aim of facilitating small scale, edge of settlement windfall development, or development within the grounds of existing institutions that adjoin the main built up area. However, I am satisfied that the methodology used by the Council was reasonable in the context of the

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<sup>38</sup>The methodology used to carry out the settlement boundary review is summarised in Appendix 2 to the Plan and described more fully in SET9.

spatial strategy and based on adequate and proportionate evidence such that the resultant boundaries defined on the policies map are in the most part justified and will be effective in helping to deliver the Plan's strategic objectives in a manner that is consistent with national policy.

70. That said, there are a limited number of instances where changes need to be made to the settlement boundaries as defined on the policies map such that they are justified in the context of the methodology used and will be effective in implementing the spatial strategy and relevant policies. Those changes include land at Morphetts Lane, Chieveley; Sandford Park, Newbury; Pincents Lane retail park, Tilehurst; and Colthrop industrial estate, Thatcham.
71. The inclusion of the latter two commercial areas is consistent with the methodology which allowed consideration of employment and leisure uses located on the edge of settlements to take account of their scale, functionality and visual and physical relationship with the settlement. Colthrop industrial estate is outside the policy DM2 strategic gap, and the modified settlement boundary is contiguous with the designated employment area and allocation ESA1 meaning that any proposals for development within it would be subject to policies SP20, ESA1 and DM32.
72. Consequential changes to the settlement boundaries will also need to be made as a result of the four additional allocations that I recommend as main modifications later in this report. Having considered the representations made in response to the main modifications' consultation, I recommend that the settlement boundary to the north of modified allocation CA12 Henwick Park be changed to accurately reflect the 95 metre contour line and the extent of the landscape buffer.
73. For the reasons set out in paragraph 56 above and under main issue 5, the Thatcham settlement boundary needs to be changed to exclude the North East Thatcham allocation.
74. All of the changes to the settlement boundaries defined on the policies map were subject to consultation alongside the main modifications, other than the subsequent amendment I recommend in relation to CA12 Henwick Park.

### **Development outside settlement boundaries**

75. Policies SP1 and SP3 make clear that all land outside the defined settlement boundaries (including that within hamlets and isolated groups of dwellings) will be treated as open countryside where development will be more restricted as set out in policies DM1 and DM35.

76. As a strategic approach this provides clarity and a reasonable degree of certainty about where different forms of development will and will not be permitted. Policy DM1 provides an overview of the types of residential development that may, exceptionally, be permitted outside settlement boundaries provided it is appropriately designed and located. More detailed policies for those types of development are then set out in subsequent DM policies which I deal with as necessary later in this report. However, for clarity and to be effective, policy DM1 needs to be modified to cross refer to the subsequent relevant policies, and an additional category relating to student or staff accommodation associated with existing educational and institutional sites in the countryside (policy DM38) needs to be added. The final paragraph of DM1 needs to be deleted as it summarises requirements set out more clearly in other parts of the Plan and introduces an ambiguous and unjustified requirement relating to cumulative impact. These changes [MM73] will ensure that policy DM1 is justified and effective.
77. I deal with policy DM35, which relates to economic development in the countryside, under main issue 11 later in this report.

### **AWE Aldermaston and AWE Burghfield**

78. There are two AWEs at Aldermaston and Burghfield in the Eastern Area which are core to supporting national defence and security. Paragraph 4.38 sets out the key legislation that applies as a result of the quantities and types of hazardous material involved. Paragraphs 4.44 to 4.58 summarise the approaches relating to Detailed Emergency Planning Zones (DEPZ), Outer Consultation Zones and 12km Consultation Zones.
79. Policy SP4 aims to control development in the vicinity of the AWEs in the interests of public safety and to prevent external hazards to the two sites. It states that planning permission is likely to be refused for development in the DEPZ that could lead to an increase in residential or non-residential populations thus impacting on the Off-Site Emergency Plan (OSEP), especially when the Office for Nuclear Regulation (ONR) and/or Ministry of Defence (MoD) advise against or object to the development. Policy SP4 goes on to set out consultation arrangements for different types of development in the DEPZ, 5km Outer Consultation Zones and 12km Consultation Zones for the two AWEs. The zones are defined on the policies map and indicated on maps in Appendix 3.
80. It is not my role to examine the extent of the zones, or the OSEP and data about population, household size, numbers of existing homes or other matters that it is based on or will be used to help implement it. Nor is it my role to scrutinise the way in which the Council and other relevant bodies have assessed development proposals in the context of the AWEs in the past or speculate about how they

may do in the future. Rather, my concern is with the soundness of policy SP4, and in particular whether it will be effective in helping to ensure public safety and that the AWEs will not be adversely affected by the impact of other development in the area. In so doing, I assume that the relevant regulatory regimes will operate effectively<sup>39</sup>.

81. In principle, the approach in policy SP4 is consistent with national policy which expects planning policies to recognise and support development required for operational defence and security purposes and ensure that operational sites are not affected adversely by the impact of other development proposed in the area. Local planning authorities should consult the appropriate bodies for development around major hazard sites<sup>40</sup>.
82. However, to be effective and justified, policy SP4 needs to be modified [**MM8**] so that it is clear that development within the zones will be managed in the interests of public safety and to ensure that any proposed development does not adversely affect the defence related operation or capability of the AWEs, and to set out the circumstances when planning permission will be refused for development in the DEPZ or in the consultation zones. Having considered the responses to the consultation, I have amended the modification to clarify that the ONR and AWE / MoD will be consulted on all proposals which will lead to any increase in the residential or non-residential population of the DEPZ (including visitors and workers). This will ensure that those bodies will be able to assess the impact on the OSEP, including the cumulative impact of small scale developments. However, it is not justified to amend the modification to state that planning permission will be refused for all such developments prior to such assessment being undertaken in the context of the OSEP at the time.
83. The reasoned justification and Appendix 3 need to be modified accordingly [**MM9** and **MM108**], and to clarify that the extent of the DEPZ and consultation zones could change during the plan period. I have amended the modification to the reasoned justification to clarify that policy SP4 applies to all development proposals in the land use planning consultation zones, irrespective of whether they comply with other policies including SP1, SP3 and SP20.
84. The Plan could potentially have included a less restrictive approach to allow more development in and around settlements defined in the hierarchy in the Eastern Area in accordance with the spatial strategy where it could be shown on a case by case basis that public safety would not be compromised. Alternatively, it could have set out an even more restrictive approach, or have provided more detail about the circumstances in which development may be allowed or refused. However, I am satisfied that, subject to my recommended main modifications, the Plan sets out a justified and effective policy for

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<sup>39</sup> NPPF 188.

<sup>40</sup> NPPF 45 and 97.

controlling development in the vicinity of the AWEs consistent with national policy. This is based on the Council's experience of dealing with planning applications and appeals in the relevant parts of the district over the last few years, and the expert advice from representatives of the ONR and the AWE / MoD.

85. The approach to controlling development around the AWEs set out in policy SP4 was applied during the preparation of the Plan, including in determining which sites are suitable for development. This had the effect of limiting the amount of development in the Eastern Area, as referred to above. There are two allocations within the DEPZ, RSA24 New Stocks Farm, Aldermaston (8 Traveller pitches) and RSA12 Pondhouse Farm, Burghfield (100 dwellings). Both of these have planning permission and were taken into account in the OSEP. In addition, there are two housing allocations and three employment allocations within the 5km Outer Consultation Zones: RSA8, RSA13, ESA4, ESA5 and ESA6. None of these developments would be contrary to policy SP4. The AWEs were, therefore, taken appropriately into account in determining the spatial strategy and identifying suitable sites for allocation.

### **Key diagram**

86. National policy expects local plans to indicate broad locations for development on a key diagram. It is necessary, therefore, to modify the Plan to include a key diagram [MM2].

### **Conclusion**

87. I conclude, therefore, that subject to the main modifications described above the Plan sets out an appropriate spatial strategy for West Berkshire, taking into account reasonable alternatives.

### **Issue 3 – Does the Plan contain appropriate strategic policies and set out an effective framework for the preparation of neighbourhood plans that is justified and consistent with national policy?**

88. There are four made neighbourhood plans in the district, Stratfield Mortimer (2017), Compton (2022), Hermitage (2024), and Cold Ash (2024), along with seven other designated neighbourhood areas: Newbury; Thatcham; Burghfield; Tilehurst; Enborne; Hungerford and Lambourn.

### **Strategic policies**



89. The Plan identifies 24 strategic policies: SP1 to SP24. Neighbourhood plans will be required to be in general conformity with those policies<sup>41</sup>. In many respects, they are consistent with the criteria set out in national policy and guidance relating to the purpose and nature of strategic and non-strategic policies including in terms of addressing the Council's strategic priorities for the development and use of land in West Berkshire<sup>42</sup>. However, for reasons set out elsewhere, modifications are required to the detailed content of some of those policies to ensure that they are sound, including in terms of providing a clear framework for neighbourhood plans.
90. Strategic policies SP13 to SP15 list sites allocated for residential development in different parts of the district, and SP21 lists sites allocated for employment development. Chapter 8 of the Plan is entitled "non-strategic site allocations", and contains policies for the sites listed in SP13 to SP15 and SP21. This approach means that the Plan contains unnecessary duplication and creates ambiguity about whether the allocations listed are subject to a strategic policy that a neighbourhood plan would need to be in general conformity with. This can be rectified by the deletion of policies SP13, SP14, SP15 and SP21 and the insertion of additional text and tables in chapter 8 to summarise the allocations in each spatial area to ensure the Plan is effective [**MM20 to MM22 and MM32, MM36, MM44, MM54 and MM67**]

### Housing requirements for neighbourhood areas

91. Policies SP13, SP14 and SP15 in the submitted Plan include housing requirement figures of 55 and 25 dwellings for Hungerford and Lambourn respectively, with all other designated neighbourhood areas having a zero requirement. The figures take account of current commitments and any allocations in the Plan in those areas, along with the Council's assessment of potential opportunities for further development, in the context of the Plan's spatial strategy and settlement hierarchy. The figures also take account of the intentions of the relevant parish or town council in terms of the nature and purpose of the forthcoming neighbourhood plan, including whether it intends to make any allocations.
92. I consider under main issue 8 whether the assumption in the Plan that sites allocated in the Hungerford and Lambourn neighbourhood plans will collectively deliver 80 homes is justified. However, I am satisfied that the requirement figures for those areas, and the zero figures for other areas, are based on proportionate evidence and an approach that is consistent with national policy which expects housing requirements for designated neighbourhood areas to

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<sup>41</sup> NPPF footnote 18.

<sup>42</sup> NPPF 17 to 23 and 28, and PPG ID-41-076-20190509

reflect the overall strategy for the pattern and scale of development and any allocations.

93. With the deletion of policies SP13, SP14 and SP15, the figures for neighbourhood areas need to be included in policy SP12 which deals with strategic matters relating to housing requirement and supply. Policy SP12 and its reasoned justification also need to be modified to state that the Council will supply a housing requirement figure for each neighbourhood area when a neighbourhood plan is being prepared or updated, and that sites allocated in the Plan do not count towards meeting the requirement for the neighbourhood area [MM18 and MM19]. These modifications will ensure that the Plan is effective and consistent with national policy.

### **Allocations in neighbourhood plans**

94. Policy SP3, relating to the settlement hierarchy, needs to be modified to make clear that neighbourhood plans can allocate non-strategic sites (but not strategic sites) within and adjoining the settlement boundaries of the urban areas, rural service centres and service villages defined in the Plan. The reasoned justification also needs to be modified to explain that any allocations in neighbourhood plans that are within the settlement boundaries defined in the Plan would not count towards meeting the target figures in policy SP12 because to do so would not be consistent with the assumptions made about the district's overall housing land supply. The reasoned justification to policy SP20 needs to be modified to clarify that any employment allocations in neighbourhood plans would be additional to those in the Plan. These modifications [MM6, MM7 and MM31] will ensure consistency with national policy and an effective approach for the preparation of neighbourhood plans consistent with the Plan's spatial strategy.
95. For the reasons set out under main issue 2 above, the reasoned justification to policy SP2 needs to be modified to clarify that if neighbourhood plans include allocations that propose major development in the AONB they would need to demonstrate exceptional circumstances [MM5].

### **Appendix 6**

96. Appendix 6 in the Plan is entitled "How policies are applied in a neighbourhood planning context". However, a modification is required to delete that Appendix as it is not consistent with relevant legislation and national policy and because the Council's website includes information about neighbourhood planning which is kept under review and updated as appropriate [MM109].

### **Conclusion**

97. Subject to the main modifications that I refer to above, the Plan contains appropriate strategic policies and sets out an effective and justified framework for the preparation of neighbourhood plans.

#### **Issue 4 – Were the sites allocated in the Plan selected on the basis of adequate and proportionate evidence, and is the Plan justified by viability evidence consistent with national policy?**

98. During the preparation of the Plan it was clear to the Council that sites allocated in existing adopted plans and neighbourhood plans and/or with planning permission plus windfalls would not be sufficient to meet housing needs over the plan period. The Council therefore made a call for sites in winter 2016/17 and again in late 2018. This led to around 300 sites being promoted as potential allocations.
99. All sites were assessed in the Housing and Economic Land Availability Assessment in February and December 2020, and then again in January 2023, taking account of relevant available evidence, specialist advice and site visits. Potentially suitable sites were also subject to sustainability appraisal at regulation 18 and 19 stages. Some sites were deemed to not be suitable in accordance with the spatial strategy, for example, those at a settlement outside the hierarchy or in the countryside detached from any settlement boundary. Others were judged to not be suitable or developable for reasons such as poor access, flood risk or landscape impact. In parallel with the availability assessment and sustainability appraisals, other technical work was carried out to inform the preparation of the Plan and the choice of allocations. These included transport assessments, flood risk assessments, water cycle studies, and landscape sensitivity studies and character assessments.
100. Once the Council decided that the Plan was to allocate a large strategic site at Thatcham (the justification for which is considered under the next main issue), a number of smaller sites on the edge of the town were not considered necessary to allocate. That is a matter that I return to later when considering whether the housing land supply in the Plan is sufficient.

#### **Strategic road network**

101. Transport assessments were carried out in 2020 and 2021 along with further modelling in 2022. In response to representations by National Highways and Hampshire County Council, and ongoing discussions, further work was carried out in 2023 and 2024 and a statement of common ground agreed<sup>43</sup>. Based on that, I am satisfied that the development proposed in the Plan will not have an

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<sup>43</sup> EXAM25 (3 May 2024) and EXAM26 (17 May 2024).

unacceptable impact on highway safety or severe residual cumulative impacts on the strategic road network.

### **River Lambourn SAC nutrient neutrality**

102. Several of the allocations in the Plan (as well as some other sites with planning permission assumed to deliver dwellings required to meet housing needs over the plan period) are within the hydrological catchment of the River Lambourn Special Area of Conservation which is vulnerable to changes in water quality from nutrients. In January 2024, legislation came into effect that means that wastewater treatment works are required to meet specified nutrient removal standards by 1 April 2030<sup>44</sup>. The relevant treatment works in the River Lambourn catchment are expected to have the necessary upgrades by the end of 2025 meaning that an obstacle that has prevented many developments in the area over recent years will be removed.

103. Notwithstanding that, additional mitigations will be required to achieve nutrient neutrality and therefore the Council, in partnership with Natural England, has developed a strategy and guidance to identify appropriate mitigations which may be on or off site. Whilst there have been some delays in finalising aspects of the guidance, it is clear that considerable progress has been made in addressing the detailed technical issues such that planning applications will now be able to be determined. The selection of the allocations which require the development to demonstrate nutrient neutrality through a project level HRA and for mitigation to be in place and operational prior to any nutrient pollution being discharged is, therefore, justified, and the relevant policies should be effective meaning that there is a realistic prospect of those sites delivering the dwellings proposed in a timely manner.

### **Viability**

104. A viability assessment was carried out during the preparation of the Plan<sup>45</sup>. This was undertaken by an experienced, appropriately qualified consultancy in accordance with national planning policy guidance and industry good practice using proportionate, up to date evidence relating to the development values, costs (including those relating to policy requirements such as affordable homes, energy efficiency, and biodiversity net gain) and land values. Whilst it is possible that some costs may be higher than assumed, it is also possible that others could be lower and / or development values higher; this is reflected in some of the sensitivity tests included in the assessment.

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<sup>44</sup> The Designation of Sensitive Catchment Areas Notice 2024.

<sup>45</sup> VIA1a to VIAf.

105. The whole plan viability assessment used a typology-based approach, reflecting the nature of the potential allocations, to consider the viability of residential development. In addition to that, a number of the allocations are subject to site specific viability assessments undertaken on behalf of the owners or promoters. Overall, the evidence indicates that the total cumulative cost of all relevant policies is unlikely to undermine the viability of the development that the Plan assumes will take place during the plan period.

## **Conclusion**

106. I am satisfied, therefore, that the sites allocated in the Plan were selected on the basis of adequate and proportionate evidence, and that the Plan is justified by viability evidence consistent with national policy.

## **Issue 5 – Is policy SP17, relating to a strategic allocation at North East Thatcham, justified and consistent with national policy, and would it be effective in achieving sustainable development on the site?**

### **Introduction**

107. Policy SP17 proposes approximately 1,500 new homes during the plan period on a greenfield site of around 170 hectares on the north east edge of Thatcham. The southern boundary of the allocation is around one kilometre from the town centre and the railway station. To the south runs the A4 and Floral Way, and to the north lies the village of Upper Bucklebury within woodland on top of a hill that forms part of the North Wessex Downs AONB. Not far to the east and west of the site are the villages of Midgham and Cold Ash respectively.

108. The new homes, at least 40% of which would be affordable, would be accompanied by local shops; a GP surgery; a primary school; early years provision; land for secondary school provision; a community centre; formal and informal sports pitches; other green infrastructure including a community park; and transport infrastructure including walking and cycling routes and improvements to existing roads.

### **Principle and scale of residential development**

109. For the reasons set out under main issue 2 above, I have already concluded that the Plan's spatial strategy, including focussing development on Thatcham, is appropriate and justified. A number of alternatives for development around the town were identified by the Council during the preparation of the Plan and

considered through the Thatcham Strategic Growth Study<sup>46</sup> and sustainability appraisal<sup>47</sup> including 1,500 and 2,500 dwellings at North East Thatcham; 800 dwellings at Colthorp; and 250 dwellings at Henwick. National policy advises that the supply of large numbers of new homes can often be best achieved through planning for larger scale developments including significant extensions to towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities<sup>48</sup>. In principle, therefore, the proposal for a comprehensive, large scale development at North East Thatcham is consistent with national policy and justified, taking into account reasonable alternatives based on proportionate evidence.

110. However, the evidence indicates that the allocation has capacity for up to approximately 2,500 homes along with the physical, social and green infrastructure proposed in policy SP17<sup>49</sup>. Restricting the scale of development to 1,500 homes would not therefore make efficient use of land and optimal use of the potential of the site as expected by national policy<sup>50</sup>. Furthermore, a significant part of the justification for the allocation is that it would assist in the regeneration of the town, including through supporting local services and providing new social infrastructure. The viability evidence<sup>51</sup> indicates that there is a reasonable prospect that a development including around 2,500 homes would be viable, whereas there are significant doubts that a development comprising around 1,500 homes could deliver all of the physical, social and green infrastructure proposed in policy SP17 whilst meeting all of the policy requirements in the Plan.
111. As submitted, therefore, policy SP17 is not effective, justified or consistent with national policy. This significant soundness deficiency can, however, be rectified by modifying policy SP17 to propose up to approximately 2,500 dwellings (rather than approximately 1,500 to be completed in the plan period) with an appropriate mix of types, tenures and sizes having regard to policy SP18 **[MM25]**.
112. Whilst, for the reasons set out later in this report, it is not expected that more than around 1,760 homes will be built on the site by 2041, the modification will provide a reasonable degree of certainty that the amount of residential development proposed on the site will be sufficient to help ensure the provision

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<sup>46</sup> SIT2a to SIT2e.

<sup>47</sup> CD3a page 25.

<sup>48</sup> NPPF 73.

<sup>49</sup> In particular, the Thatcham Strategic Growth Study Stage 3 [SIT2c September 2020] and North East Thatcham Partnership's Development Statement [WS4/6 Appendix March 2024].

<sup>50</sup> NPPF September 2023 paragraph 125.

<sup>51</sup> VIA1a, VIA1c and VIA1d(i) (Autumn 2022); North East Thatcham Partnership's Viability Note [WS4/6 Appendix 9 of the Development Statement, March 2024]; and Statement of Common Ground on Secondary School Provision [EXAM42 Annex D, June 2024].

of the social, green and physical infrastructure and a commercially viable bus service.

113. Furthermore, the modification will ensure that the Plan is flexible as there is nothing to prevent up to 2,500 homes being built on the site by 2041 if all relevant policy requirements are met. The modification will also have the significant benefit of increasing the number of homes proposed in the Plan which, for reasons set out later in this report, is necessary to help meet housing needs in accordance with national policy.
114. In addition to the above modification, significant changes are also necessary to various parts of policy SP17 and accompanying reasoned justification to ensure that it is effective in securing the delivery of all aspects of the proposal in a timely and comprehensive manner whilst meeting all relevant policies in the Plan and thereby achieving sustainable development on the site. These changes, and reasons for them, are described under the sub-headings below.

### **Masterplanning, design, and phasing**

115. The first paragraph of policy SP17 needs to be modified to clarify that the site will be developed comprehensively with proposals demonstrating how infrastructure, services, open space and facilities will meet the needs of the development and be delivered in a timely and coordinated way across the whole site alongside the phased delivery of residential development.
116. Policy SP17 then needs further modification to include a new section relating to masterplanning and a design code. This will provide greater clarity about the proposed masterplanning process, and how this will inform the location and extent of development on the site, the actual number of homes that will be built, the phasing of development, and the coordinated delivery of infrastructure. This is essential, because as submitted policy SP17 requires a significant amount of further studies and other work to be carried out without being clear about how this is intended to relate to the masterplanning and planning application processes.
117. To facilitate meaningful engagement with the community and other stakeholders, and ensure that the masterplan effectively guides the development of the site, policy SP17 needs to be clear that the Council will lead and coordinate the process, in collaboration with the site promoters, relevant town and parish councils, the community and other stakeholders. Furthermore, due to the significance of the work to be carried out to inform the masterplan, and to ensure effective community engagement, the masterplan should be prepared and adopted as a supplementary planning document prior to the submission of a planning application. The reasoned justification should be modified to refer to the Council's intention to adopt the supplementary planning

document within 12 months of the adoption of the Plan as this will help to prevent undue delay to the commencement of development on the site.

118. Finally with regard to the masterplanning process, reference to the Thatcham Strategic Growth Study “guiding principles” needs be deleted from policy SP17, and the reasoned justification amended to explain that the Growth Study and the West Berkshire Strategic Vision 2050 include information that forms part of the justification for the Plan’s spatial strategy and the strategic allocations in Newbury and Thatcham, some of which will be relevant to the preparation of the masterplan.
119. This additional part of policy SP17 also needs to state that a design code should be prepared by the developer and agreed by the Council through a planning condition at the outline application stage.
120. Those modifications relating to masterplanning, design and phasing, along with the further detailed changes set out below, will ensure that the policy is effective in securing the delivery of all elements of the proposal and achieving high quality design [MM25].

## **Infrastructure**

121. For the reasons set out above, modifying policy SP17 to propose up to 2,500 homes and set out clear requirements for masterplanning will help to ensure the delivery of the necessary social, green and physical infrastructure. National planning guidance recognises that where local plans propose large scale developments including significant extensions to towns, there may not be certainty and/or the funding secured for necessary strategic infrastructure at the time the plan is produced. Strategic policy-making authorities are therefore expected to demonstrate that there is a reasonable prospect that the proposals can be developed within the timescales envisaged following engagement with infrastructure providers<sup>52</sup>. In that context, I turn now to consider each of the different types of infrastructure referred to in policy SP17 along with a number of other issues that are relevant to the soundness of the proposal.

## **Transport infrastructure**

122. The transport assessment carried out during the preparation of the Plan<sup>53</sup> is based on adequate, proportionate evidence and an appropriate methodology. It found that the North East Thatcham development could cause additional delays and congestion around key junctions along the A4 corridor, with through traffic

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<sup>52</sup> PPG ID: 61-059 and 060-20190315.

<sup>53</sup> INF3 Phase 1 Transport Assessment (December 2020) and INF4 Phase 2 Transport Assessment (July 2021).



diverting onto alternative routes including in Thatcham, Cold Ash and Upper Bucklebury. Transport evidence provided by representors, including Bucklebury Parish Council, Cold Ash Parish Council and Thatcham Town Council, also indicates the potential adverse impacts that the development could lead to on local roads, some of which are rural in nature and unsuitable for large amounts of traffic.

123. To address the identified impacts, the transport assessment sets out a package of measures to encourage a shift to sustainable modes along with improvements to highway capacity and key junctions on the A4 corridor and Floral Way. Subject to those measures, the evidence demonstrates that the proposal would not have an unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe. Whilst some additional traffic would be generated on the local road network, including through Upper Bucklebury and Cold Ash, it is clear that this would not be so great to mean that those national policy tests would be failed. The proposal would also lead to even longer queues at the Thatcham level crossing to the south of the town where the barriers are down for more than 50% of the day. However, whilst Network Rail advise that this may lead to further complaints, it would not result in safety issues.

124. A number of modifications are required to policy SP17 to ensure that it, along with other relevant policies in the Plan including SP23, SP24 and DM42, is effective in ensuring the timely delivery of the necessary transport mitigations. The modifications include clarifying that measures are needed to encourage use of sustainable transport modes and that development proposals will need to be supported by a transport assessment and travel plan in accordance with policy DM45. The requirements need to include provision of multiple access points, as well as a vehicular through route, as this will help to ensure that trips from the site are dissipated. For clarity, the indicative site map in the Plan should show potential access points as identified in the transport assessment, although these will need to be considered further through the masterplanning process.

125. Subject to those modifications [MM25], I am satisfied that policy SP17 will be consistent with national policy and effective in achieving safe and suitable access for all users and that significant impacts on capacity, congestion and highway safety can be cost effectively mitigated to an acceptable degree at an appropriate time.

## **Education infrastructure**

126. Policy SP17 requires early years provision and a 2.5 form entry primary school to be provided on the site; these would be needed to accommodate future residents. The requirements are, therefore, justified although the references to a specific sized school and sports infrastructure provision need to be deleted for effectiveness as the number of classrooms and associated outdoor play space

for the primary school will be determined through the masterplanning process [MM25].

127. Existing secondary schools in the area are at capacity meaning that additional provision will be needed. However, the scale of the residential development proposed is not sufficient to require a new school of a size that would be operationally viable. Policy SP17 therefore requires the provision of land for a secondary school, the nature and cost of which would be informed by a feasibility study to be funded by the developer. In principle, this is a justified approach as the provision of a new secondary school on the site, potentially to replace the 1950s Kennet School as well as to serve future residents, would provide significant benefits to the wider community.
128. Whilst the development of 1,500 homes could provide the land and potentially make a financial contribution, the viability evidence shows that the contribution would be substantially greater with a development of up to 2,500 homes (having also taken account of requirements relating to other infrastructure) meaning that the identified funding gap would be significantly reduced. Other sources of funding would still be required, but this is not unusual and does not mean that there is not a reasonable prospect of the school being provided when needed as part of a proposal for up to 2,500 homes. To reflect the modified scale of residential development, and for effectiveness, policy SP17 needs to refer to special educational needs provision and to a financial contribution from the developer (in addition to the provision of land for the secondary school) [MM25].

### **Health care infrastructure**

129. Policy SP17 requires the provision of a 450 sqm GP surgery on the site. Existing primary health care infrastructure in Thatcham has no spare capacity meaning that a new facility on the site is needed to serve future residents but would also have benefits for existing residents in the town. However, it is clear from the evidence from the NHS and existing GP practice that the requirement for a "450 sqm surgery" is unduly prescriptive and unjustified.
130. Policy SP17 therefore needs to be modified to clarify that what is required is a primary healthcare facility that is operationally and financially viable, the details of which will be determined through a feasibility study that will inform the masterplanning process [MM25]. Such a policy provides sufficient clarity about the required outcome and the process by which the details are to be finalised. The extent to which funding is required in addition to a proportionate contribution from the residential development will depend on various factors, including the size and nature of the health care facility. It is appropriate, therefore, for those and other details to be determined through the feasibility study, masterplan and planning application process.

### **Local retail, employment, community facilities and open space**

131. Policy SP17 requires the provision of local centres providing retail facilities and small scale employment (approximately 1,100 sqm) along with a 1,200 sqm indoor community / sports centre, outdoor sports pitches and other open space. Such facilities will clearly be beneficial to future residents and help to achieve sustainable development as they will provide opportunities to meet day to day need locally by walking and cycling.
132. However, the specific floorspace requirements are not justified, and will be matters that can properly be determined through the masterplanning process. Modifications are also required to clarify that a range of community facilities should be provided, and that the local centres should include business uses as well as retail. The requirements for sports pitches and other open space need to be planned as integral parts of the overall green infrastructure to be provided on the site and therefore should be set out in that part of policy SP17 rather than under the heading "community". Those changes [MM25] are necessary for effectiveness.

### **Landscape and green infrastructure**

133. The site is located on the lower northern slopes of the Kennet Valley, rising towards the wooded ridge which characterises the southern boundary of the North Wessex Downs AONB and Bucklebury Common. It comprises predominantly agricultural fields defined by mature hedgerows and trees along with areas of woodland. Three distinct landscape areas are found within the site. The north-western area is based around a bowl valley, with parkland characteristics. Further south-east, a series of enclosed valleys and undulating terrain create a more intimate character, which begins to open out towards the east but faces into a strongly wooded gully. Beyond this dividing woodland, the eastern end of the site opens out to create open and expansive views over large fields and towards the south and east<sup>54</sup>.
134. The site and adjoining countryside are included in the woodland and heathland mosaic landscape character area designated on the policies map. The Council's landscape evidence concludes that the site 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<sup>55</sup>.
135. Policy SP17 requires the provision of a comprehensive green infrastructure network which takes account of the landscape features of value within and around the site informed by a landscape and visual impact assessment and a green infrastructure strategy. The site map in the Plan shows three separate

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<sup>54</sup> SIT2c paragraph 2.80.

<sup>55</sup> LAN7e paragraph 1.7.

areas designated as country park/public open space connected by green links running along the northern boundary of the site.

136. The requirement for significant provision of green infrastructure is clearly justified as it is necessary to achieve sustainable development on the site and to safeguard the landscape character of the area including the natural beauty of the AONB, and biodiversity on and near the site including adjoining ancient woodland and local wildlife sites. However, policy SP17 and the site map need significant modification to ensure that the Plan is effective in those regards **[MM25]**.
137. The first paragraph of the relevant section of SP17 needs to refer to a comprehensive network of green infrastructure and public open space being provided across the site in accordance with policy SP10 which responds positively to the sensitivities of the landscape, protects and enhances landscape and biodiversity features and makes provision for biodiversity net gain. The policy then needs to refer to the particular types of green infrastructure and open space, with relevant requirements relating to each. These include conservation of the areas of ancient woodland by providing appropriate buffers, and a band of green infrastructure / community park across the higher land on the northern part of the allocation to create a buffer between the built development and the adjoining countryside and Upper Bucklebury, the precise nature of which is to be informed by a landscape and visual impact assessment and the masterplanning process having regard to the location of the site in the setting of the AONB. Other requirements that need to be included are public open space in the developed parts of the site in accordance with policy DM40; sports pitches and areas; allotments; and making connections to the wider landscape and public rights of way network. Finally, a green infrastructure strategy and public rights of way strategy are required **[MM25]**.
138. In addition to those requirements relating to green infrastructure provision, policy SP17 needs to be modified to make clear that the site lies in the setting of the AONB and will therefore need to be developed in accordance with policy SP2 with a landscape and visual impact assessment informing the final capacity, design and layout of the development through the masterplan process **[MM25]**. This will ensure that the development has regard to the interrelationships with the AONB and its landscape character and special qualities thereby avoiding or minimising any adverse impacts.

## **Biodiversity**

139. The Thames Valley Ecological Research Centre conducted a desk-based ecology assessment of the site during the preparation of the Plan. There are no areas within the allocation that are internationally, nationally or locally designated for their biodiversity value. A priority habitat (grassland) is present

on the site, and much of the upper slopes are designated as a biodiversity opportunity area in the Plan. There are significant areas of ancient woodland adjoining the site that are designated as local wildlife sites, and evidence of protected and priority species nearby<sup>56</sup>.

140. Policy SP17 requires an ecology strategy to set out how biodiversity net gain will be achieved; how priority habitats and ecological features will be protected and enhanced; the creation of new ecological features; and a site-wide management plan. This is justified and consistent with national policy, although the requirement for a strategy should refer to biodiversity and policy SP11 to ensure internal consistency and effectiveness [MM25].

141. In the context of the nature of the site and its surroundings I am satisfied that the ecology evidence is adequate and proportionate at plan-making stage, and that policy SP17 along with other relevant policies in the Plan will provide an effective framework to ensure that the ecology of the area is protected and biodiversity net gain achieved. The potential impacts on the ancient woodlands and watercourses, including Ouzel Gully on the site's eastern boundary, are matters that can be addressed in detail during the masterplanning and planning application processes, informed by the biodiversity, green infrastructure and public rights of way strategies required by SP17.

### Historic environment

142. There are no designated heritage assets in the allocation, although there are three grade II listed buildings in "excluded pockets" within the wider allocation boundary: a barn at Colthrop Manor, and a barn and cart shed at Siege Cross Farm. Archaeological remains are likely to be present on the site<sup>57</sup>.

143. Modifications are required to policy SP17 to clarify that an historic environment strategy in accordance with policy SP9 will need to demonstrate how the area's historical development, archaeological remains and historic buildings and parkland will inform the scheme and help to create a sense of place [MM25]. This will ensure that the policy is effective and consistent with national policy. It is not necessary to amend the modification to the reasoned justification to include additional detail as that can be set out in the masterplan supplementary planning document.

### Flood risk and surface water

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<sup>56</sup> SIT2b paragraphs 2.36 and 2.37 and SIT2c paragraphs 2.58 to 2.64.

<sup>57</sup> SIT2c paragraphs 2.65 to 2.71.

144. Whilst the site is at low risk of river flooding, there is risk of surface water flooding within the site and in Thatcham town<sup>58</sup>. To be effective, policy SP17 needs to be modified to clarify that a flood risk assessment will be required in accordance with policy SP6 and that this should take into account the Thatcham Surface Water Management Plan to ensure that there is no detrimental impact on flood risk in Thatcham. For effectiveness, reference also needs to be made to the existing flood alleviation measures on the site to ensure that they are retained and protected, and to policy DM7 relating to water resources and wastewater [MM25].

### **Mineral resources**

145. The requirement for a minerals resource assessment needs to clarify that any potentially valuable mineral resources on the site should be identified and considered for extraction to ensure consistency with national policy and the West Berkshire Minerals and Waste Local Plan [MM25].

### **Sustainability and energy**

146. Most of the references to standards and strategies listed under the sub heading "Sustainability" need to be deleted as they are appropriately dealt with under other parts of policy SP17 (as modified) or in other policies in the Plan [MM25]. This will avoid repetition and/or internal inconsistency. However, to be effective, this part of policy SP17 does need to set out a clear requirement for an energy statement to support development proposals and to clarify that the construction and operations management plan will need to safeguard any below ground infrastructure as there are oil and gas pipelines crossing the site [MM25].

### **Housing trajectory for North East Thatcham**

147. The site is being promoted, on behalf of the landowners, by a partnership of property, development and housebuilding companies. As set out earlier in this report, the proposed modification to clarify that the proposal is for up to approximately 2,500 dwellings will ensure that there is a reasonable prospect of it being viably developed. A significant amount of assessment work has been carried out both on behalf of the Council during the preparation of the Plan and by the development partnership.

148. Whilst policy SP17 requires significant further work to be carried out, this will build upon the extensive assessment work that has already been completed. The Council expects to adopt the masterplan supplementary planning document within a year of the Plan being adopted, and the development partnership intend to submit a planning application shortly after that. It is reasonable to assume

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<sup>58</sup> SIT2c paragraphs 2.48 to 2.57.

that a planning application, and subsequent reserved matters, that are consistent with a recently adopted supplementary planning document could be approved more quickly than is the case for some large scale strategic sites. The modified housing trajectory in the Plan [MM111] assumes that the first 60 homes will be completed by 31 March 2031. Whilst this could be considered to be somewhat optimistic, on balance I am satisfied that there is a realistic prospect of that being achieved.

149. Market demand is strong in West Berkshire, and the allocation is a greenfield site. The proposal is likely to comprise a number of areas of residential development on different parts of the allocation with their own access points onto the existing road network. The partnership envisages there being around five different outlets operating at the same time once the development is underway. The Plan requires 40% of the homes to be affordable. For all those reasons it is not unrealistic to assume that 170 homes will be built each year from 2031 onward as set out in the Plan's revised trajectory, despite the requirement for residential development to be phased to ensure that the necessary infrastructure, including schools and primary health care, is delivered in a coordinated and timely way. Indeed, it is possible that delivery rates could be higher – the partnership suggests around 250 per year.
150. Overall, therefore, I am satisfied that there is a realistic prospect that 60 homes will be built on the site by 31 March 2031 and that there is a reasonable prospect that 1,760 will be completed by 31 March 2041.

### **Site map in the Plan and policies map**

151. The site map in the Plan needs to be replaced with a simplified version that shows the allocation boundary and within that an “indicative green infrastructure buffer”, rather than specifically designated areas of community park / public open space. This is because the actual extent of that buffer, and other areas of green infrastructure and open space, will be determined through the masterplanning process. It is appropriate for the indicative buffer to follow the 105 metre contour on the central and western part of the site and the 100 metre contour on the eastern part, along with position of the gas pipeline that will require standoff areas, as that reflects the landscape evidence used to inform the Thatcham Strategic Growth Study. This will be considered in more detail through the landscape and visual impact assessment required by policy SP17 to inform the masterplan.
152. The site map also needs to show the adjoining areas of ancient woodland as they are referred to in policy SP17. The “potential car park” needs to be deleted as that is not referred to in the policy and may not be appropriate; this needs to be considered through the masterplan process. Finally, indicative access points, based on the transport assessment, need to be shown on the map as

they are referred to in modified policy SP17, although the final access arrangements will also be determined through the masterplan process [MM25]. Those changes to the site map will ensure that policy SP17 can be effectively applied.

153. To reflect the modifications to policy SP17 and the site map, the policies map needs to be changed to remove the designations for a country park, green links and car park. The policies map would therefore simply define the red line boundary of the allocation. The policies map also needs to be changed to exclude the whole of the allocation from the Thatcham settlement boundary. This is because a revised settlement boundary will need to be defined in a review of the Plan when the extent of the built up area and extensive green infrastructure along the northern part of the allocation have been determined through the masterplanning and planning application processes. As explained under main issue 2 earlier in this report, consideration will then also be given to whether a strategic gap needs to be defined between Thatcham and Upper Bucklebury to safeguard the separate identity of the village and its landscape setting in the long term in accordance with policy DM2.

### **Reasoned justification to policy SP17**

154. Significant changes are required to paragraphs 6.52 to 6.63 to reflect the main modification to policy SP17 and changes to the policies map, and thereby ensure that the proposal is appropriately justified in the Plan [MM26].

### **Conclusion**

155. Policy SP17 and main modifications to it, the site map and the reasoned justification [MM25 and MM26] have been subject to many objections from local residents, town and parish councils, local councillors and others. They were discussed at hearing sessions on 21 and 22 May, 26 June and 1 October 2024. However, the proposal is an essential part of the Plan and will make a substantial contribution to meeting the significant need for new market and affordable homes in the district over the coming years. The main modifications that I describe above set out clear policy requirements and provide the Council with a range of mechanisms, including a masterplan supplementary planning document and design code, to ensure that the requirements can be met.
156. Therefore, subject to the main modifications described above, I am satisfied that policy SP17 relating to a strategic allocation at North East Thatcham, is justified and consistent with national policy, and will be effective in achieving sustainable development on the site.



## **Issue 6 – Is policy SP16, relating to a strategic allocation at Sandlesford Park, justified and would it be effective in achieving sustainable development on the site?**

157. Policy SP16 allocates 134 hectares of land at Sandlesford Park on the southern edge of Newbury for around 1,500 dwellings, 40% of which would be affordable homes, along with a local retail centre, employment uses, a new primary school, an extension to an existing school, transport infrastructure and extensive areas of green infrastructure.
158. The allocation is well related to the existing built up area of Newbury, and in most respects the development requirements set out in policy SP16 along with the adopted supplementary planning document should be effective in achieving the sustainable development of the site. However, a number of changes need to be made to some of the detailed policy requirements and reasoned justification. These relate to mineral resource assessments; flood risk assessments; affordable housing; housing mix; renewable and low carbon energy; access to the A339 via Highwood Copse Way; the types of uses proposed in the local centre; and the development principles in the adopted supplementary planning document. A number of changes are required to the site allocation map to ensure it accurately reflects relevant planning applications and land ownerships (see below). These modifications [MM23 and MM24] will ensure that the policy is effective and justified.
159. The site was allocated in the Core Strategy adopted in 2012 and is subject to a supplementary planning document adopted in 2015. Despite that, development has not yet started on site. However, considerable progress has been made in the last three years or so to enable development to take place. The eastern part of the site had outline planning permission granted in 2022 for up to 1,000 homes. The western part of the site, which has an indicative capacity for 500 homes, was subject to an undetermined outline planning application in April 2023. Both parts of the allocation are controlled by housebuilders.
160. Development on the eastern part of the site is expected to start in 2026/7, with 450 homes being completed by 2031. Development on the western part is expected to start in 2028/9 with 150 homes completed by 2031. The trajectory shows all of the 1,500 homes being completed by 2038. Given the good progress being made with the planning applications and other preparatory work, the Council's assumptions about when the developments will start, which are more cautious than those of the developers, are reasonable. Furthermore, the assumed build out rates are reasonable given the market conditions and the fact that 40% of the homes will be affordable.
161. At the time of the examination hearings, the developers of both parts of the site indicated that the number of homes could be somewhat lower than assumed in

the Plan on the basis of recent site assessment work<sup>59</sup>. However, negotiations were ongoing, and the Council remains confident that there is capacity for around 1,500 dwellings on the whole allocation, which includes an area of land not included in either of the planning applications<sup>60</sup>. National policy expects optimal use to be made of the potential of sites<sup>61</sup>, and I am satisfied that there is a reasonable prospect that around 1,500 dwellings could be built on the allocation over the plan period meaning that it is not necessary for soundness to modify the Plan to include a lower indicative capacity.

## **Conclusion**

162. Subject to the main modifications described above, policy SP16 is justified and should be effective in achieving sustainable development on the Sandford Park allocation.

## **Issue 7 – Are policies RSA1 to RSA23, relating to non-strategic housing allocations, justified and consistent with national policy, and would they be effective in achieving sustainable development on the sites?**

163. Chapter 8 in the Plan contains policies RSA1 to RSA23 relating to non-strategic allocations for residential development which are set out in three sections, relating to the three spatial areas referred to in policy SP1. Each allocation policy sets out a number of dwellings along with “parameters” which the development will be expected to comply with, and is accompanied by a map showing the site boundary and other information relating to the proposed development. The allocations are also designated on the policies map.

164. For the reasons set out under issues 2 and 4 above, I am satisfied that the Plan's spatial strategy is justified and that the allocations were selected using an appropriate methodology. In general, therefore, each of the non-strategic residential allocations is justified. However, there are a number of potential soundness issues relating to some of the allocations that I address below. Before I look at those individual sites, there are two issues that relate to all or many of the allocations that I need to address.

### **Number of dwellings proposed**

165. Firstly, each of the allocation policies refers to the number of dwellings that are assumed to be built on the site. The figures are based on a consistent approach making reasonable assumptions about developable area and density

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<sup>59</sup> 800 on the eastern part rather than 1,000, and 360 on the western part rather than 500.

<sup>60</sup> Council response to AP77 [EXAM53.1] and oral evidence at hearing on 2 October 2024.

<sup>61</sup> NPPF 125.

of development in the context of each site's location, character and setting in accordance with policy SP1 (as modified) and other relevant policies. Whilst it is possible that more dwellings may be capable of being accommodated on some of the sites, this is something that can be determined through the planning application process and it is not necessary for soundness to modify the Plan to include a higher figure for any of the sites.

166. However, a modification is required to the introduction to chapter 8 to clarify that the number of dwellings assumed on each site is approximate and that actual numbers will be determined during the planning application process through detailed design work in accordance with the development parameters and other relevant policies [MM35]. This is necessary to ensure the allocation policies are justified and effective. I consider the quantitative contribution that the allocations collectively make to the overall housing land supply identified in the Plan under matter 8.

### **Water supply, drainage and flood risk**

167. Secondly, the development parameters referring to an integrated water supply and drainage strategy should be deleted because they relate to a matter that is addressed in more detail by policy DM7 and do not add any site-specific information. Where relevant for site specific reasons, policies should be modified to make clear that a flood risk assessment will be required, and to refer to designing for climate change and resilience in accordance with policy SP5. Those modifications [MM38 to MM41, MM46 to MM53, MM55, MM56 and MM58 to MM65] will ensure the relevant allocation policies are justified and effective. For the same reasons, the modification to policy RSA1 needs to be amended to include a requirement for a flood risk assessment (this was missed in error in the modification published for consultation) [MM37].

### **Allocation policies – site specific soundness issues**

168. Modifications are required to policy RSA2 Bath Road, Speen to refer to the historic character of the area and the need for the design of the proposal to respond sensitively to the character, density and scale of existing development [MM38]. This will ensure the policy is effective in preserving or enhancing the historic environment.
169. For the same reason, policy RSA9 The Green, Theale needs to be modified to refer to the conservation of the listed milestone on the site and the archaeological assessment that has been carried out [MM49].
170. Policies RSA10 and RSA11 relate to two adjoining sites in Theale which together have an indicative capacity for 100 dwellings. The sites are suitably located and will make a valuable contribution to housing land supply in the

Eastern Area where suitable opportunities for residential development are limited due to the constraints referred to earlier. The policy requirements are justified and provide an effective framework for achieving sustainable development.

171. Policy RSA12 Pondhouse Farm, Burghfield Common needs to be modified to refer to a protected species survey to ensure it is effective with regard to safeguarding biodiversity **[MM52]**.
172. A modification is required to policy RSA13 Bath Road, Woolhampton to delete references to an odour assessment and minerals extraction as they are not necessary or justified **[MM53]**.
173. Policy RSA14 Lynch Lane, Lambourn is an allocation carried forward from a previous plan that does not have planning permission. However, it is now under the control of a developer and pre application discussions have taken place meaning that there is a reasonable prospect of development taking place in the plan period. A modification is required to clarify the requirement relating to the layout of development in relation to the area within Flood Zone 2 and the River Lambourn SSSI/SAC **[MM55]**. This will ensure the policy is effective with regard to flood risk and biodiversity.
174. Policy RSA16 Southend Road, Bradfield Southend needs to be modified to ensure that the landscaping requirement is justified and effective **[MM58]**.
175. A number of changes are required to policy RSA17 Chieveley Glebe to ensure that it is effective and justified with regard to access arrangements; protecting the character and appearance of the area including with regard to the adjoining listed buildings, the Chieveley conservation area, and the frontage hedge; the provision of a burial ground within the site; and the provision of a footpath link to a nearby recreation ground. The site map needs to be modified accordingly. **[MM59]**.
176. A modification is required to policy RSA18 Pirbright Institute, Compton to ensure that it is effective with regard to flood risk and protecting the Compton conservation area **[MM60]**.
177. Policies RSA20, RSA21 and RSA22 propose a total of 59 dwellings on three adjoining sites in Hermitage. Modifications are required to each of the policies to clarify the requirements relating to the provision of an area of public open space which will serve future residents of all of the sites, and policy RSA22 needs to be amended to clarify the access arrangements including in relation to the other two sites. Changes are also required to policies RSA21 and RSA22 to ensure that they are effective with regard to specific heritage assets and protecting the character and appearance of the area. RSA22 also needs to be

amended to increase the capacity from 34 to 42 and to refer to a minerals resource assessment. Finally, the site maps for each allocation need to be modified to clarify the relationships between the three developments and accurately reflect land ownerships [MM62, MM63 and MM64]. Those modifications will ensure that the three policies are effective.

## Conclusion

178. The modifications I have described above are necessary to ensure that policies RSA1 to RSA23, relating to non-strategic housing allocations, are justified, consistent with national policy, and effective in achieving sustainable development on the sites.

## Issue 8 – Does the Plan identify a sufficient supply and mix of housing sites consistent with national policy to ensure that the identified need for new homes can be met?

### Introduction

179. The submitted Plan identifies a total land supply with capacity for 9,137 dwellings between 2022 and 2039. However, for the reasons set out under main issue 1, I have already found that the Plan needs to be modified to cover a plan period 2023 to 2041 and include a requirement for a minimum of 9,270 dwellings to be delivered between those dates.

180. The housing supply identified in the submitted Plan would not, therefore, be sufficient to ensure that the modified minimum requirement could be met. However, that supply relates to the period 2022 to 2039 and is based on information relating to 1 April 2022, whereas comprehensive information relating to 1 April 2023 became available during the examination<sup>62</sup>. This information includes the planning status of all sites, other relevant evidence, and a trajectory summarising expected completion rates annually over the plan period. I am satisfied that it is consistent with national guidance relating to housing land availability<sup>63</sup> and represents up to date, proportionate and adequate evidence. To ensure that the Plan is effective and justified, and to reflect the modified plan period, it is necessary to take account of this updated evidence in deciding what modifications are required.

181. Further information has become available since 1 April 2023 which suggests that a limited number of the sites included in the updated trajectory may deliver more dwellings more quickly, whereas others may deliver fewer, more slowly or

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<sup>62</sup> EXAM12 (23 February 2024) and EXAM54 (19 August 2024).

<sup>63</sup> PPG ID:3 Housing and economic land availability assessment, and PPG ID:68 Housing supply and delivery.

not at all<sup>64</sup>. However, this evidence is not comprehensive, and it is inevitable that circumstances will continue to change as time goes by. Using the information relating to 1 April 2023 as the main reference point therefore represents an appropriate approach. That said, I address some site specific issues arising from more recent information below (as I did under main issue 6 in relation to Sandlesford Park).

182. Whilst there can never be certainty when estimating how many homes will be built looking ahead over many years, judgements can be made as to whether there is a reasonable or realistic prospect based on evidence relating to the availability and suitability of sites, viability, ownership, developer intentions, planning status, site assessments, infrastructure and build rates as required by national planning policy and guidance<sup>65</sup>. Having assessed the relevant evidence, I am satisfied that in most respects the Council's trajectory for each site based on information relating to 1 April 2023 is justified. Where necessary, I comment on specific elements of the supply in the following paragraphs.

### **Sites under construction or with planning permission**

183. The updated trajectory indicates that a total of 2,180 dwellings<sup>66</sup> are expected to be completed on sites under construction or with permission. There are two sites that had permission on 1 April 2023 that more recent information indicates may not be developed at the time envisaged: Faraday Road / Kelvin Road (160 dwellings) and Bayer House (140 dwellings). However, whilst this may have implications for the supply in the five years following adoption (which I consider below), the owners of both sites intend to dispose of them for development and I am satisfied that there is a reasonable prospect of the numbers of dwellings being delivered by 2041.

### **Allocations in the Plan**

184. I concluded under main issue 5 above that policy SP17 North East Thatcham needs to be modified to allow up to approximately 2,500 homes (rather than 1,500) and that there is a reasonable prospect that a total of 1,760 will be completed on that site by 2041. The inclusion of that figure in the modified trajectory is, therefore, justified.

185. I have also concluded, under main issues 6 and 7, that all of the other housing allocations in the Plan (ie those carried forward from previous adopted plans, most of which have planning permission, and the eight new non-strategic sites) are justified. For the reasons set out above, using the comprehensive

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<sup>64</sup> The further information about housing land supply includes written statements in response to SQ7.13 to SQ7.21 (20 September 2024) and EXAM58 (27 September 2024).

<sup>65</sup> NPPF Annex 2 definitions of "deliverable" and "developable", and PPG ID:68.

<sup>66</sup> 451 (retained allocations under construction) + 1,729 (other commitments)

information for these sites relating to 1 April 2023 represents the most appropriate and reliable approach. Collectively, the allocations in the submitted Plan (SP16, SP17 and RSA1 to RSA23) have capacity for a total of 5,253 dwellings, 4,513 of which are expected to be built by 2041<sup>67</sup>.

### **Sites to be allocated in Hungerford and Lambourn neighbourhood plans**

186. The Plan assumes that 55 dwellings will be built on sites to be allocated in the Hungerford neighbourhood plan and 25 on sites to be allocated in the Lambourn neighbourhood plan. Work on both plans is progressing, and this includes the identification of more than sufficient land in both cases to accommodate the numbers proposed. The potential sites are relatively small, and assessed as being suitable and available by the Council. However, as the neighbourhood plan process is not within the control of the Council, it is necessary for effectiveness to modify the reasoned justification to policy SP12 to clarify that the Council will monitor progress and may identify opportunities to address any shortfall if the neighbourhood plans are not made within two years of the adoption of the Plan [MM19]. Subject to that, there is a realistic prospect that 55 dwellings will be built in Hungerford and Lambourn by 2031 as assumed in the trajectory.

### **Windfalls**

187. In addition to the specific sites for residential development identified in the Plan, policy SP1 supports development and redevelopment within the settlement boundaries of the urban areas, rural service centres, service villages and smaller settlements listed in policy SP3 Table 1 and Appendix 2 Table 17. The Plan assumes a windfall allowance of 140 dwellings per year following adoption. This is based on the annual average delivery on unallocated sites of fewer than 10 dwellings. Whilst this assumption is based on long term trends and is higher than has been achieved in recent years, housing completions generally have fallen significantly since the pandemic. Furthermore, the Plan makes no allowance for windfalls on sites of 10 or more dwellings, whereas such developments made a significant contribution to supply between 2006 and 2023<sup>68</sup>. I am therefore satisfied that a windfall allowance on 140 dwellings per year from 2026 onward is justified by compelling evidence and can be regarded as a reliable source of supply.

### **Overall supply for plan period**

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<sup>67</sup> This includes RSA6 Stonehams Farm which is allocated for a 64-bed care home (which equates to 36 dwellings); this is accounted for in the C2 Use Class Communal Accommodation in the trajectory.

<sup>68</sup> Council response to AP77 [EXAM53 19 August 2024] indicates that an average of 380 dwellings per year were built on small, medium and large windfall sites between 2006 and 2023.

188. The comprehensive information relating to 1 April 2023 indicates that a total of 9,060 dwellings will be delivered between 2023 and 2041. On that basis, there would be a shortfall of 210 dwellings against the modified minimum requirement for 9,270 dwellings between 2023 and 2041<sup>69</sup>.

### **Additional potential allocations identified during the examination**

189. During the examination, the Council advised that, based on further information that had become available since 1 April 2022 (the date on which the supply in the submitted Plan was based), four additional sites were now considered to be suitable and available<sup>70</sup>. The sites, and draft policies for each set out in potential main modifications were discussed at hearing sessions in May, June and October 2024.

190. Together, those four sites have capacity for a total of around 433 dwellings meaning that, if the Plan were modified to include them, the overall supply for the plan period would be 9,493 which would exceed the minimum requirement by 223 dwellings. All four are being promoted for development, and are likely to be available in the short to medium term. Three are adjacent to urban areas identified in policy SP3 and the other is adjacent to a rural service centre meaning that they are all well located and consistent with the spatial strategy. The sustainability appraisal finds that development on each site would not lead to any significant adverse impacts provided suitable mitigation is provided<sup>71</sup>. In principle, therefore, I agree that they are all suitable for residential development. However, there are a number of potential soundness issues relating to each that I need to address.

### **CA12 land at Henwick Park, Bowling Green Road, Thatcham (approximately 225 dwellings)**

191. CA12 land at Henwick Park is a greenfield site to the north of Bowling Green Road on the edge of Thatcham. It extends up the undeveloped western side of Cold Ash Hill towards the village of Cold Ash into part of the gap between the two settlements designated in accordance with policy DM2. However, the proposed site map shows the extent of the built development extending no further than the existing development on the opposite side of Cold Ash Hill and not encroaching into the designated gap. The site map also shows an extensive landscape buffer in the northern part of the proposed allocation. The proposed policy makes clear that there should be no development above the 95 metre

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<sup>69</sup> 9,270 – 9,060 = 210.

<sup>70</sup> EXAM26 (17 May 2024); EXAM53.1 and EXAM53A (19 August 2024); and EXAM57 (26 September 2024).

<sup>71</sup> EXAM53A and EXAM64.



contour and that the landscape buffer must be retained to maintain the open character between Thatcham and Cold Ash.

192. Furthermore, the proposed policy also requires the development to be informed by a landscape and visual impact assessment in accordance with policy SP7. Following the main modifications consultation, I have amended that part of the policy to also refer to policy DM2 and changed the proposed site map so that the landscape buffer accurately follows the 95 metre contour line. The effect of that change is to extend the buffer further down Cold Ash Hill thereby increasing the length of the undeveloped road frontage between the new homes and the southern extent of Cold Ash compared to that shown in the modifications' consultation. The Thatcham settlement boundary needs to be amended to exclude all of that landscape buffer. On that basis, whilst the development would clearly encroach into the countryside between Thatcham and Cold Ash, I am satisfied that a clear physical and visual separation of the two distinct settlements would be retained as the landscape buffer can be given legal protection by way of a planning obligation to ensure its permanence.
193. The proposal would not be inconsistent with policy CAP1 in the Cold Ash Neighbourhood Plan (2024) as that policy allows development outside the settlement boundaries defined in Figure 8 of that plan if it is on a site allocated in the West Berkshire Housing Site Allocations Development Plan or its successor.
194. The evidence indicates that transport impacts, flooding, biodiversity, social infrastructure provision and other site specific matters are all capable of being appropriately addressed at the planning application stage. The proposed allocation policy, along with other policies in the Plan, provide an effective framework for the preparation and determination of any subsequent planning application in most respects. However, following consultation on the main modifications, I have amended the requirement for a transport assessment in part (d) in the proposed policy to delete reference to "using the Council's VISSIM model" as that may not be appropriate or necessary, and such a specific requirement is not included in other allocation policies or referred to in policy SP23.
195. The site is available and in the control of a developer. A significant amount of preparatory work has been undertaken to support a planning application. I am satisfied that there is a realistic prospect of development starting in 2028/2029 and 150 homes being completed by 31 March 2031.
196. Whilst the site promoter's assessment is that the site has capacity for 236 homes I am not persuaded that it is necessary to amend the reference to 225 in the proposed modification as paragraph 8.2 in the Plan (as modified) makes

clear that the figure is approximate and that the actual number will be determined at the planning application stage.

**197. CA17 land east of Regency Park Hotel, Bowling Green Road, Thatcham (approximately 45 dwellings)**

198. This site lies between an existing hotel and the proposed allocation CA12 to the north of Bowling Green Road. The proposed site map shows a landscape buffer on the northern part of the allocation that would be consistent with that proposed on CA12. The development would be contained between the existing hotel and the new homes proposed on the land to the east, and would not encroach into the designated gap between Thatcham and Cold Ash. As with CA12, the evidence shows that all site specific matters are capable of being appropriately addressed at the planning application stage. The proposed allocation policy, along with other policies in the Plan, provides an effective framework for the preparation and determination of any subsequent planning application.

199. The site is available and in the control of a developer and I am satisfied that there is a realistic prospect of 45 homes being completed by 31 March 2031.

**PAN8 land north of Pangbourne Hill, Pangbourne (approximately 25 dwellings)**

200. PAN8 land north of Pangbourne Hill is on the western edge of Pangbourne in the AONB and has capacity for approximately 25 dwellings. This is based on a low density development (20 dwellings per hectare in accordance with policy SP1) with the elevated western part of the allocation being provided as a landscape buffer to ensure that the new homes are not visually prominent. Part (f) of the proposed policy makes this clear and requires the scheme to be informed by a detailed landscape and visual impact assessment. On that basis I am satisfied that around 25 homes, which would be contained by the landscaped buffer and existing housing to the east and south, could be designed to ensure that there is no harm to the natural beauty of the AONB beyond the developed area. To provide additional protection, and consistency with the approach taken on other allocations, it is necessary for the landscape buffer to be outside the modified settlement boundary.

201. Access to the site would be from an existing residential road, Sheffield Close. The development would generate some additional traffic on Pangbourne Hill and its junction with the A340. However, the scale of the development means that this would be limited, and the proposed policy requires mitigation measures to be provided based on a transport assessment. Subject to this, the proposed development would not be likely to have an unacceptable impact on highway safety or severe impact on the road network.

202. Pangbourne is a rural service centre and therefore an appropriate location for residential development in accordance with the Plan's spatial strategy. Whilst the site would make a modest contribution towards meeting the housing requirement, nonetheless it would significantly assist in meeting the shortfall in supply that I have identified given the shortage of suitable and available sites in the district. For the reasons set out above, the harm to the natural beauty of the AONB can be restricted to the immediate effect within the area proposed for low density development. On balance, therefore, I am satisfied that there are exceptional circumstances for this proposed major development in the AONB.
203. The evidence shows that other site specific matters are all capable of being appropriately addressed at the planning application stage. The proposed allocation policy, along with other policies in the Plan, will provide an effective framework for the preparation and determination of any subsequent planning application.
204. The site is available and in the control of a developer. A significant amount of preparatory work has been undertaken to support the submission of a planning application. I am satisfied that there is a realistic prospect of 25 homes being completed by 31 March 2031.

#### **TIL13 land at Pincents Lane, Tilehurst (approximately 138 dwellings)**

205. TIL13 is a greenfield site to the east of Pincents Lane on the southern edge of Tilehurst with the AONB immediately to the west. To the east of the proposed allocation is a recreation ground, and to the south a large retail and commercial area beyond which are the A4 and junction 12 of the M4. Pincents Lane connects to the roads in the commercial area to the south and via those to the A4. Pincents Lane to the north is narrow, winding and steep, unsuitable for use by motor vehicles. The allocation includes pockets of woodland, mature trees and hedgerows, and is crossed by a number of well used public rights of way and desire lines.
206. The proposed site map shows the eastern, higher part of the site as community parkland, the creation of which is a requirement of the proposed policy along with walking and cycling links between it and the adjoining recreation ground, residential areas and public rights of way. This would provide significant public benefits to the existing community as well as future residents of the site. The retention of the community park in perpetuity is a requirement of the proposed policy and can be secured through a planning obligation and the exclusion of that part of the proposed allocation from the settlement boundary.
207. Development would be within the setting of the AONB. Limiting the extent of the residential development to the lower, western part of the site with a design and layout that is informed by a detailed landscape and visual impact assessment

and which complies with policies SP2 and SP7 would prevent harm to the natural beauty of the AONB. The new homes would be contained by Pincents Lane to the west, the large commercial area to the south, and new community park and existing recreation ground to the east meaning that the development would not lead to the coalescence of Tilehurst, Calcot and Theale.

208. The proposed policy requires the main vehicular access to the development to be provided from the south with an additional emergency access. Whilst relevant sections of Pincents Lane are narrow, the highway authority advises that they are of sufficient width to provide safe access. All traffic from the site would have to go through the adjoining commercial area and the junction with the A4 which are extremely congested at certain times, particularly on weekend afternoons. Detailed transport modelling shows that the additional traffic generated by the development of this site would represent a small percentage of that using the nearby roads and busy junctions on the A4 and M4. Both the local highway authority and National Highways are satisfied that there would not be an unacceptable impact on highway safety or a severe impact in terms of congestion and capacity. Whilst the access arrangements would cause inconvenience for future residents at certain times, most trips to and from the site could reasonably be made at times when the congestion within the commercial area is more limited. On balance, therefore, I am satisfied that, the development can be provided with safe and suitable access for all users in accordance with national policy.
209. The site is not subject to any international, national or local designations relating to biodiversity. However, there are mature trees and hedgerows on the site which is used by a variety of wildlife, an ancient woodland and local wildlife site adjoin the eastern boundary, and there are priority habitats nearby. The proposed policy includes a requirement for a tree survey and an ecological impact assessment to inform any planning application and for appropriate avoidance and mitigation measures to be implemented.
210. It is clear from the many objections that have been made to planning applications to develop the site over the years, and the representations made by numerous local residents and their political representatives during the examination including in response to the proposed modifications, that there is significant community opposition to the proposal. However, the site represents a rare opportunity to provide a significant number of new homes on the edge of the Eastern Urban Area with good access to services and facilities in a highly constrained part of the district. The new homes will make a significant contribution to meeting the need for market and affordable housing, and the proposed policy will lead to the creation of a new community park with good walking and cycling links.
211. The evidence shows that all site specific matters (including education and health infrastructure provision; transport impacts; emergency access; landscape

impacts; biodiversity; heritage; surface water flooding; noise; air pollution; and water resources) are capable of being appropriately addressed at the planning application stage. The proposed allocation policy, along with other policies in the Plan, will provide an effective framework for the preparation and determination of any subsequent planning application.

212. The site is available and in the control of a developer. A significant amount of preparatory work has been undertaken to support the submission of a planning application. I am satisfied that there is a realistic prospect of at least 138 homes being completed by 31 March 2031.

213. Whilst the site promoter's assessment is that the site has capacity for 165 homes I am not persuaded that it is necessary to amend the figure of 138 in the proposed modification as paragraph 8.2 in the Plan (as modified) makes clear that figure is approximate and that the actual number will be determined at the planning application stage in the context of the relevant policy requirements.

### **Conclusion on additional potential allocations identified during the examination**

214. I therefore conclude that all of the four potentially additional sites are suitable and available, and that their development would be consistent with the Plan's spatial strategy and make a significant contribution to boosting the housing land supply within a few years of the Plan being adopted. In order to increase the housing land supply for the plan period such that it should be sufficient to meet needs to 2041, and to boost the supply of deliverable sites for the five years following adoption (2026 to 2031), I recommend that the Plan be modified to include the four additional allocations.

215. Each additional allocation needs to be accompanied by a site specific policy, setting out the approximate number of dwellings proposed along with a site map and development requirements as included in the proposed modifications and discussed above [**MM42**, **MM43**, **MM45** and **MM57**]. This will ensure that the Plan is positively prepared, consistent with national policy and effective in identifying sufficient land to meet the need for new homes. The policies map will need to be amended accordingly.

### **Overall supply for the plan period including main modifications**

216. Subject to my recommended main modifications, the overall supply for the plan period 2023 to 2041 has capacity for a total of approximately 9,493 dwellings. This compares to a minimum requirement for that period of 9,270 dwellings meaning that there is a modest flexibility allowance of 223. However, there is additional flexibility due to the fact that no allowance has been made for any medium or large windfall sites and because the North East Thatcham site has

capacity for a total of around 2,500 dwellings whereas 1,760 are assumed to be built by 2041. Furthermore, the promoters of several of the allocations without planning permission consider that those sites will be able to accommodate more dwellings than the indicative figure included in the Plan.

217. I am satisfied, therefore, that if Sandleford Park does end up delivering fewer than 1,500 homes, or if some of the commitments do not deliver as expected, there is sufficient flexibility to allow the identified need for the plan period to be met. Moreover, the Plan will need to be reviewed and updated many years before 2041 in the context of the revised NPPF published in February 2025. Adopting the Plan as soon as possible will ensure that 13 new allocations, with collective capacity for around 3,200 new homes that do not have permission, are confirmed in an adopted local plan which will provide much needed certainty over the period during which the review and update take place.
218. The reasoned justification to policy SP12, and the housing trajectory in Appendix 8, need to be modified to reflect the updated evidence relating to the housing land supply for the modified plan period 2023 to 2041 [MM19 and MM111]. This will ensure that the Plan is effective and justified.

### **Five year housing land requirement and supply**

219. NPPF (2021) advises that local plans should identify a supply of specific, deliverable sites for years one to five of the plan period. Associated guidance clarifies that strategic policies should identify a five year housing land supply from the intended date of adoption of the plan<sup>72</sup>. That is also the case in the revised NPPF published in February 2025.
220. The Council intends to adopt the Plan in 2025/26 and therefore year 1 for the purposes of calculating five year supply following adoption starts on 1 April 2026. Based on the modified housing requirement of 515 dwellings per year, the five year requirement from that date, including a 5% buffer in accordance with the NPPF (September 2023), is 2,704 dwellings. The updated housing trajectory indicates that completions between 2023 and 2026 are expected to be significantly above the minimum requirement. However, as actual total completions in that period are not known, it is not appropriate to reduce the five year requirement from 1 April 2026 to take account of any over supply since 2023. This represents a positive approach.
221. National planning policy and guidance does not deal specifically with how to assess whether there will be a five year supply from a date a number of years after the date of the most recent comprehensive evidence about housing land supply. However, based on current evidence relating to the availability and

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<sup>72</sup> PPG ID:68-004 (July 2019).

suitability of sites, viability, ownership, developer intentions, planning status, site assessments, infrastructure and build rates, a judgement can be made about whether there is a realistic prospect of the assumed number of dwellings being built on the identified land supply between 1 April 2026 and 31 March 2031.

222. The latest trajectory, which takes account of all of my recommended modifications (including the additional allocations CA12, CA17, PAN8 and TIL13 referred to above) indicates that a total of 3,195 dwellings could be developed between 1 April 2026 and 31 March 2031 meaning that there would be a surplus of 491 dwellings against the five year requirement for that period. In other words, a deliverable supply for 5.9 years. Without the additional four allocations (total capacity 433 dwellings) the surplus would be marginal (58 dwellings).
223. The five year supply from 1 April 2026 includes 810 dwellings on all sites with full permission, or sites with outline permission for fewer than 10 dwellings on 1 April 2023; 1,605 dwellings on sites without planning permission, or sites with outline permission for more than 10 dwellings on 1 April 2023; 80 dwellings on sites to be allocated in Hungerford and Lambourn neighbourhood plans; and 700 windfalls.
224. There is no clear evidence to indicate that 810 dwellings will not be built between 2026 and 2031 on the sites with full permission, or on sites with outline permission for fewer than 10 dwellings. For the reasons set out above, the assumptions about windfalls and sites being allocated in the two neighbourhood plans are reasonable, and I am satisfied that there is a realistic prospect that the numbers of homes assumed will be delivered in the relevant period.
225. The Council and site promoters have provided relevant information, as referred to above, for all of the sites without permission or those with outline permission for more than 10 dwellings on 1 April 2023 assumed to be developed between 2026 and 2031. Those sites include the four additional allocations that I recommend be included in the Plan through main modifications. The information provided adequately addresses issues such as site availability, developer intentions, and progress towards obtaining permission and discharging conditions, as well as policy requirements such as nutrient neutrality and physical constraints. The Council's assumptions about the timing and rate of development are more cautious than those of the site promoters for some sites. I am therefore satisfied that there is clear evidence, that is proportionate, adequate and up-to-date, to demonstrate that there is a realistic prospect that a total of 1,605 homes will be completed on those sites in that period.
226. Overall, therefore, I conclude that, subject to the main modifications to site allocations referred to above, the Plan identifies a supply of specific, deliverable sites for five years following the intended date of adoption. The reasoned

justification to policy SP12 needs to be modified to reflect the updated evidence relating to the five year supply 2026 to 2031. Having considered the responses to the consultation, I have amended the proposed modification to paragraphs 6.25 to 6.27 and Table 3 to accurately set out the five year housing land supply from 1 April 2026 as described above. This will ensure that policy SP12 is appropriately justified, effective, and consistent with national planning policy [MM19].

## **Conclusion**

227. Subject to the main modifications that I recommend above, the Plan identifies a sufficient supply and mix of housing sites consistent with national policy.

## **Issue 9 – Are the policies in the Plan relating to the design, type and mix of new housing, including affordable homes, justified and consistent with national policy and will they be effective in meeting the needs of different groups in the community?**

### **Affordable housing**

228. Policy SP19 sets out various requirements for the provision of affordable homes in market-led residential development schemes, including 30% on previously developed land and 40% on greenfield sites. These requirements are estimated by the Council to deliver a total of around 2,200 affordable homes over the plan period. This will make a significant contribution towards meeting the identified need for additional affordable homes which is around 330 per year or around 6,000 over the plan period. The viability assessment tested the effects of higher and lower levels of affordable housing, and the 30% and 40% requirements in the Plan strike a reasonable balance between maximising the delivery of much needed affordable homes and ensuring the viability of development is not compromised.

229. Modifications are, however, required to certain parts of policy SP19 to ensure it is justified and consistent with national policy. The requirement for affordable housing provision on sites of between five and nine dwellings needs to be changed so that it only applies to designated rural areas. The fourth paragraph needs to be modified to clarify that a review mechanism may be required if a lower level of affordable housing is proposed, as there will be some circumstances where this may not be necessary or justified. The fifth paragraph should refer to mixed and balanced communities in circumstances when off-site provision of affordable homes may be appropriate. The tenure split of affordable housing needs to be clarified to reflect the housing needs assessment and ensure that the needs of specific groups can be met. The requirement for affordable housing provision in specialist housing for older and disabled people needs to be clarified. Finally, the requirement for dwellings to



remain affordable in perpetuity needs to be clarified so that it applies to all forms of affordable home ownership. Associated changes are required to the reasoned justification. These modifications [MM28 and MM29] will ensure that policy SP19 is justified, effective and consistent with national policy.

230. Policies DM16 and DM17 relate to First Homes exception sites and rural exception housing schemes respectively. These are consistent with national policy and will be effective in helping to meet the need for affordable homes.

### **Housing density**

231. Policy SP1 sets out different requirements for the density of residential development in different parts of West Berkshire, including at least 70 dwellings per hectare in town centres, along main transport routes and close to transport nodes; at least 35 per hectare in urban areas; and at least 30 per hectare in other defined settlements. Modifications are required to clarify that in the AONB densities of 20 dwellings per hectare are appropriate, and that in all locations development should seek to make optimum use of land and achieve high quality design [MM3]. This will ensure the approach is justified having regard to the particular characteristics of different parts of the district, consistent with national policy.

### **Housing type and mix**

232. Policy SP18 requires residential development to contribute to the delivery of an appropriate mix of dwelling tenures, types and sizes, reflecting the proportions set out in Table 3. Those figures are based on a reasonably up to date assessment and the policy also refers to taking account of more recent evidence. The approach is, therefore, justified and consistent with national policy aimed at ensuring the housing needs of different groups in the community can be met.
233. Policy SP18 also requires all dwellings to be accessible and adaptable in accordance with building regulation M4(2), and around 10% of new market homes to meet the wheelchair users standard M4(3). Those requirements are based on proportionate and reasonable estimates of need and were factored into the viability assessment of the Plan. They are, therefore, justified and consistent with national policy. However, a modification is required to clarify the approach to the provision of wheelchair accessible and adaptable homes in affordable housing schemes, to ensure consistency with national policy and effectiveness [MM27].

### **Internal space standards**

234. The requirement in policy DM30 for all new dwellings to comply with the nationally described space standard is not justified by evidence of need as required by national policy. Modifications are, therefore, required to delete policy DM30 and associated reasoned justification, and the reference in paragraph 5.30 to all residential development complying with those standards [MM12 and MM90].

### **Public open space and private gardens**

235. Policy DM40 requires all residential development of 10 or more dwellings to provide high quality public open space on-site, with reference to a standard of 3-4.3 ha per 1,000 population, or through a financial contribution for off-site provision in certain circumstances. This approach is consistent with national policy and justified.

236. Policy DM31 sets out requirements for the provision of private amenity space in residential developments. A modification is required to the policy and reasoned justification to clarify the requirement for flatted developments, including through the provision of balconies [MM91 and MM92]. This will ensure the policy is justified and effective.

### **Specialist housing**

237. Paragraph 11.18 in the Plan refers to an identified need for around 1,710 units of specialist housing for older people between 2021 and 2039 (95 per year). Policy DM19 supports the provision of new, and the extension or alteration to existing, specialist housing subject to certain criteria being met. Modifications are required to the policy and reasoned justification to clarify the types of development (including sheltered accommodation, extra care housing and care homes) and the approach to affordable housing provision [MM86 and MM87]. This will ensure the policy is effective and consistent with national policy.

### **Conclusion**

238. Subject to the main modifications referred to above, the policies in the Plan relating to the design, type and mix of new housing, including affordable homes, are justified and consistent with national policy and will be effective in meeting the needs of different groups in the community.

### **Issue 10 – Will the Plan be effective in ensuring that the need for additional accommodation for Gypsies and Travellers, and Travelling Showpeople, can be met?**

239. National policy expects strategic policies, as a minimum, to provide for objectively assessed needs to be met including the housing needs for different

groups in the community<sup>73</sup>. Planning Policy for Traveller Sites (PPTS)<sup>74</sup> expects local planning authorities to use a robust evidence base to establish accommodation needs of Gypsies and Travellers and local plans to identify specific deliverable sites for years 1 to 5, and specific, developable sites or broad locations for years 6 to 10 and where possible for years 11-15.

240. The Council commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) which was carried out in 2019 and updated in 2021<sup>75</sup>. This was undertaken by an experienced consultant based on established good practice. Further evidence relating to need was provided during the examination, including in connection with a planning application and by the GTAA consultant orally during the hearings. I am satisfied that the available evidence relating to Gypsy and Traveller accommodation needs is proportionate, up to date and adequate.

### **Gypsy and Traveller accommodation**

241. At the time the Plan was prepared, there was one Council-operated Gypsy and Traveller site in the district, along with five private authorised sites and one occupied unauthorised site. Table 7 in the Plan identifies a net shortfall of 30 pitches between 2021 and 2038 compared to identified needs associated with the families on those existing sites<sup>76</sup>. However, between 2021 and 2023, planning permissions were granted for a total of 10 net additional pitches on three of the existing sites.

242. One site is allocated in the Plan for additional Gypsy and Traveller accommodation: RSA24 New Stocks Farm, Paices Hill, Aldermaston. This was previously used to provide transit pitches, but planning permission was granted in September 2022 to create 8 permanent pitches. Whilst the site is within the Aldermaston DEPZ, its use was taken into account in the Off-Site Emergency Plan and there is no substantive evidence before me to indicate that the planning permission will not be implemented.

243. The 8 permanent pitches on RSA24 contribute to the 10 additional pitches identified between 2021 and 2023 referred to above. There remains, therefore, a residual requirement for 20 additional pitches between 2023 and 2038. There

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<sup>73</sup> NPPF 11b and 62.

<sup>74</sup> The PPTS was updated in December 2023 and December 2024. Given the latest revision was published during the main modifications' consultation towards the end of the examination, for pragmatic reasons and having regard to PPTS paragraph 30, I have not considered the implications of the definition of "gypsies and travellers" as revised in December 2024. The Council will need to consider this during the preparation of the Gypsy and Traveller Site Allocation Development Plan Document that its local development scheme indicates will be adopted by 2027.

<sup>75</sup> HOU3a and HOU3b.

<sup>76</sup> PPTS December 2023 definition or "full cultural need" as referred to in the GTAA (HOU3b).

may also be a need for additional pitches between 2038 and 2041, but that has not been quantified.

244. Despite a call for sites during the preparation of the Plan and again in November 2023, only one potential site was suggested. Rather than further delay the preparation of the Plan in an attempt to identify more allocations, the Council's local development scheme includes a commitment to consider the matter again when the Plan is reviewed.
245. In the meantime, policy DM20 sets out a positive approach to considering extensions to the existing sites, and for the establishment of new sites located in or well related to settlements or in rural locations provided that they are appropriate in scale and not isolated. In September 2023, there were six planning applications proposing a total of 15 pitches pending consideration by the Council, all of which would be additional to the supply of pitches referred to above.
246. Thus, whilst the Plan does not identify sufficient specific sites to meet in full the identified need for additional Gypsy and Traveller accommodation to 2038 or for the modified plan period to 2041, I am satisfied that there is a reasonable prospect of those needs being met from sites that have planning permission or others that will come forward as windfalls in the context of policy DM20. Furthermore, if additional sites do need to be allocated, the Council is committed to undertaking the necessary work in the short to medium term.
247. A number of changes are required to the reasoned justification to policy DM20 so that it is up to date and clearly and accurately sets out the identified need, and supply of sites, for additional Gypsy and Traveller accommodation. This will ensure that the policy is justified and effective [MM88].

### **Travelling Showpeople's accommodation**

248. There is one Travelling Showpeople's yard in the district, at Long Copse Farm, Enborne. This has been used as a circus headquarters for many years, although the number of authorised residential units has been limited to four and the storage of caravans, vehicles and equipment restricted to the eastern part of the site<sup>77</sup>. A site that included that yard was allocated for 24 plots in the local plan adopted in 2017 based on a GTAA carried out in 2015 which had identified that scale of need associated with a circus business. Temporary permissions were granted in 2018 and 2020 to accommodate around 20 families, associated with a circus, who had been moved off an unauthorised site in London.

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<sup>77</sup> Planning permission for dual use of a site (comprising the allocation and adjoining land) as an agricultural holding and circus headquarters, including a mobile home and three caravans for four months of the year, was granted on appeal in 2001 [EXAM36].

However, no permanent plots have been granted on the allocation other than the four permitted in 2001.

249. The 2019 GTAA and 2021 update indicate that a need for 24 plots still exists, such that the site is again allocated in the Plan as RSA25. A planning application was submitted in 2023 to use the allocated site for 24 Travelling Showpeople's plots on a permanent basis<sup>78</sup>. Information provided with that application indicates that the plots are required for circus workers when not performing but also by some older family members and children associated with circus workers on a more permanent basis. Such use is consistent with the PPTS definition of Travelling Showpeople which is members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such), including such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently<sup>79</sup>.

250. The existing authorised use of the site is not tied to any particular circus business or Travelling Showpeople use. Evidence provided by the GTAA consultant and the Showmen's Guild<sup>80</sup> indicates that there is a shortage of Travelling Showpeople's yards, and a shortage of opportunities to develop new yards, around England. Thus, even if the existing circus business were to vacate the site, it is likely that it would be suitable and appropriate for an alternative Travelling Showpeople's business.

251. The allocation allows for a significant increase in the physical area to be used as a Travelling Showpeople's yard compared to the area permitted for storage of caravans, vehicles and equipment under the 2001 permission. However, the size of the allocation is justified on the basis of the number of plots reasonably required for a Travelling Showpeople business based on the available evidence, taking into account guidance on plot design from the Showmen's Guild, and national policy which recognises the need for mixed-use yards to allow residential accommodation and space for storage of equipment<sup>81</sup>. Policies RSA25 and DM20 set out detailed requirements relating to layout, design, landscaping and access which should ensure that the proposed development does not have an unacceptable impact on the character or appearance of the area or on highway safety.

252. I am, therefore, satisfied that the allocation of RSA25 for a Travelling Showpeople's yard including 24 plots is justified and consistent with national policy. However, the reasoned justification to policy DM20 needs to be modified to explain the proposed use of the site [MM88], and RSA25 needs to be

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<sup>78</sup> EXAM37.

<sup>79</sup> PPTS (December 2023) Annex 1 paragraph 3.

<sup>80</sup> FWS10/3 Annex 11.

<sup>81</sup> PPTS (December 2023) paragraph 19.

modified to delete reference to flood zones 2 and 3 as the Environment Agency has confirmed that those zones do not cover the site [MM66]. Those modifications will ensure the two policies are justified and effective.

## **Conclusion**

253. Subject to the main modifications described above, the Plan should be effective in ensuring that the need for additional accommodation for Gypsies and Travellers, and Travelling Showpeople, can be met.

## **Issue 11 – Are the policies in the Plan relating to economic development justified and consistent with national policy, and will they be effective in supporting economic growth?**

### **Strategic approach to employment land**

254. Policy SP20 supports industrial, storage and distribution, and office developments on allocated sites; designated employment areas; other existing employment land; other sites within settlement boundaries; and in the countryside provided that certain criteria are met. The policy also seeks to prevent the loss of existing employment uses outside designated employment areas other than in certain defined circumstances. This represents a positive approach, and is necessary given the identified net additional need for nearly 100,000 sqm of industrial and warehouse floorspace and nearly 60,000 sqm of office floorspace. However, for clarity and therefore effectiveness, the wording of SP20 needs to be modified to refer to the specific allocations ESA1 to ESA6 and designated employment areas listed in Appendix 4 to the Plan [MM30].

### **Designated employment areas**

255. The 23 designated employment areas listed in Appendix 4 and defined on the policies map are the most significant established areas of industrial, warehouse and office uses identified through employment land reviews carried out in 2020 and 2022. I am satisfied, therefore, that they were selected for designation based on adequate and proportionate evidence.

256. However, the detailed boundary of the designated area of Young's Industrial Estate, Aldermaston needs to be amended to ensure consistency with the approach to development in the DEPZ set out in policy SP4. The boundary of the designated area of Membury Industrial Estate, Lambourn needs to be amended to reflect an extant planning permission and to include allocations ESA2 and ESA3. The reasoned justification to policy SP20 needs to be modified to update the information about the London Road Industrial Estate and Greenham Business Park designated areas. These changes to the policies

map and modification to the reasoned justification to SP20 **[MM31]** will ensure that the Plan is effective and justified.

257. Policy DM32 states that all designated employment areas are safeguarded for office, industry, and storage and distribution uses and sets out various criteria for considering development proposals. This is consistent with the strategic approach in policy SP20 set out above, and necessary given the identified need for net additional floorspace and the limited supply of suitable new employment land (see below). However, for effectiveness, a modification is required to the reasoned justification to DM32 to define industrial uses as those falling within use classes B2 and E(g)(iii) and storage or distribution as B8 **[MM93]**.
258. Whilst there are other existing clusters of employment uses, none are so significant that they necessitate modification to the Plan to include them in the Appendix 4 list of designated employment areas subject to policy DM32. This is particularly so non-designated sites are also protected from loss to alternative uses by policy SP20.

### **Sites allocated for industrial and warehouse development**

259. Six sites are allocated for industrial and/or warehouse development. Each is designated on the policies map, and subject to a specific policy in chapter 8 of the Plan. The allocations were selected following the employment land reviews in 2020 and 2022, the Housing and Economic Land Availability Assessment, and sustainability appraisal. Four of the employment allocations propose major development in the AONB. However, each of the allocations represents an extension to an existing established employment site, and the landscape impacts have been assessed and will be adequately mitigated due to the extent of the allocation and by the development requirements set out in relevant policies in the Plan. For clarity and effectiveness, a modification is required to the reasoned justification to policy SP20 to define industrial uses as those falling within use classes B2 and E(g)(iii) and storage or distribution as B8 **[MM31]**.
260. Modifications are also required to the detailed wording of some of the employment allocation policies, to reflect up to date evidence and therefore ensure that they are justified and effective.
261. ESA1 needs to refer to recent planning permissions, including that granted to Thames Valley Police for a logistics hub and office development on the site **[MM68]**. If implemented, this would reduce the supply of land available for general industrial and warehouse development.
262. The amount of floorspace proposed in ESA2 needs to reflect an extant planning permission, and reference to an archaeological assessment needs to be added (and to ESA3) **[MM69 and MM70]**. Whilst some of the requirements in ESA2

may differ from the extant permission, they are nonetheless justified as they would be appropriate and necessary to the assessment of any further proposals relating to the site, including those in part (e) aimed at minimising the impact on the AONB.

263. Reference to a minerals safeguarding area in ESA4 needs to be deleted to ensure consistency with the adopted Minerals and Waste Local Plan which includes the site as part of a waste safeguarding area [MM71]. Finally, ESA5 needs to be modified to ensure that potential contamination on the site is appropriately addressed [MM72].
264. Subject to the above modifications, I am satisfied that the six employment allocations are based on proportionate, adequate and up to date evidence. Collectively, they have capacity for up to 60,000 sqm of industrial and warehouse development<sup>82</sup> meaning that they will make a significant contribution towards meeting the need for nearly 100,000 sqm of additional floorspace. Whilst some of the designated employment areas also have capacity for additional floorspace, including London Road Industrial Estate later in the plan period, it is clear that there is a significant shortfall between the amount of employment land that the Plan identifies and the amount of land needed.
265. Various other sites, including land adjoining existing industrial estates, were considered for allocation in the Plan but excluded due to being in the DEPZ, at risk of flooding and/or due to the likely impact on the landscape or setting of the AONB. I am satisfied that there is proportionate and adequate evidence to support the Council's assessment of each of those sites, and that the constraints referred to represent strong reasons for preventing employment development in those locations.
266. The amount of new employment land proposed in the Plan is, therefore, justified despite it being insufficient in quantitative terms to meet the identified need for industrial and warehouse development over the plan period as there are strong reasons, based on relevant national policy<sup>83</sup>, to restrict the overall scale and distribution of those forms of development at the present time. The identified industrial and warehouse land supply should be sufficient to meet needs for several years after adoption, and the Council is committed to considering this matter further in the forthcoming review.

### **Theale rail-road transfer site**

267. Policy DM43 aims to ensure that a site at Theale defined on the policies map is reserved for industries which require a rail-road transfer facility and access to

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<sup>82</sup> If the Thames Valley Police develop allocation ESA1, this would be reduced to around 40,000 sqm.

<sup>83</sup> NPPF 11b and footnote 7 and NPPF 97b.



the highway network, and that the site is not redeveloped for other uses. Paragraph 12.100 states that the site is primarily an aggregates terminal which is safeguarded in the West Berkshire Minerals and Waste Local Plan 2022-2037. However, paragraph 12.101 seems to suggest that the site is also suitable for uses that require a rail-road transfer facility for consumer goods. To address this ambiguity, and to ensure consistency with the Minerals and Waste Local Plan, modifications are required to the policy and reasoned justification [MM103 and MM104]. These will ensure that the policy is justified and effective in ensuring a sustainable transport facility, that is unique in the district, is safeguarded for appropriate uses.

## Office development

268. No sites are allocated in the Plan specifically for office development as none were assessed as being available, suitable and viable for development. The approach to office development in the Plan is to safeguard existing office space (policies SP20 and DM32); promote offices on redevelopment sites within and on the edge of town centres (policy SP22); and support office developments on relevant allocated sites, in designated employment areas, existing suitably located employment sites and suitable sites within settlement boundaries (policy SP20). Policy DM32 states that new office proposals within a designated employment area will not be required to satisfy the sequential test set out in national policy.
269. Given the lack of suitable and available sites to allocate, and the identified need for around 58,000 sqm of net additional office floorspace, this approach is justified and necessary to support the local economy. However, to ensure effectiveness, the reasoned justification to policies SP20 and DM32 needs to be modified to define "office development" as uses falling within sub sections E(g)(i) or E(g)(ii) of the Use Classes Order [MM31 and MM93].

## Town centres and retail parks

270. Policy SP22 sets out a hierarchy of town centres based on the scale, character and role of each: major town centre: Newbury; town centres: Thatcham and Hungerford; and district centres: Lambourn, Pangbourne and Theale. The policy goes on to define various criteria for considering development proposals aimed at maintaining and enhancing the vitality and viability of each of the centres. This approach is consistent with national policy.
271. The town centre boundaries and primary shopping areas within each are defined on the policies map. They are based on the boundaries defined in the adopted core strategy revised to take account of changes in recent years, including new developments and changes of use. In general, I am satisfied that the boundaries defined are justified and will help to ensure that policy SP22 can be effectively implemented. However, the Newbury primary shopping area

needs to be amended on the policies map to exclude the east side of the Kennet Centre fronting Market Place as the majority of units along that frontage are no longer in retail use. Subject to this, the Plan provides a justified policy framework for considering the redevelopment of the centre for a mix of main town centre uses.

### **Economic development in the countryside**

272. Policies DM35, DM36 and DM38 support proposals that contribute to sustaining a prosperous rural economy, farm diversification, and development on existing educational and institutional sites in the countryside, provided that various specified criteria are met. In most respects these policies are consistent with national planning policies supporting a prosperous rural economy. However, a number of changes to the detailed wording of policies DM35 and DM38 and associated reasoned justification are necessary to ensure they are justified and effective [**MM95**, **MM96**, **MM99** and **MM100**].

### **Equestrian development and the horseracing industry**

273. Equestrian activities, and the North Wessex Downs horseracing industry in the Lambourn Valley in particular, are characteristic features of West Berkshire and play an important role in the rural economy. Policy DM37 includes three parts relating to domestic and commercial equestrian development; the horseracing industry; and Newbury Racecourse.

274. The second part of policy DM37 seeks to protect and allow the growth of the horseracing industry whilst conserving environmental quality and countryside character. In principle, this is justified and consistent with national policy relating to the natural environment, landscape character, particular economic sectors, and the rural economy. However, modifications are required to the policy and reasoned justification to ensure the Plan is effective in protecting existing horseracing establishments and facilities, both from changes of use and redevelopment to other uses but also from development nearby that could impact on the vitality and viability of the industry; supporting the development of related services, facilities and infrastructure; and allowing new residential development in the countryside where it is essential to the horseracing industry in accordance with policy DM23 [**MM97** and **MM98**].

275. A modification is also required to the first part of policy DM37 to ensure that it is effective by clarifying that it relates to all equestrian development, and by referring to the British Horseracing Authority standards, as well as other standards, relating to the adequate provision of land and facilities [**MM97**]. Following the modifications' consultation I have amended that part of the policy to refer to proposals having regard to those standards as it is not justified to require proposals to be in accordance with them as they do not form part of the statutory development plan.

## **Denison Barracks and RAF Welford**

276. RAF Welford and Denison Barracks are important facilities that support national defence activities. Various policies in the Plan relating to development in the countryside would not be effective in either supporting development required for operational or associated reasons, or in ensuring that the sites are not affected adversely by the impact of other development proposed in the surrounding area.

277. It is necessary, therefore, to include an additional policy along with reasoned justification and site maps in the Plan relating to those two establishments. This would support development at RAF Welford and Denison Barracks where it directly sustains the functioning of the defence establishment, and prevent development in the surrounding area if it would adversely affect the defence related operation or capability of the site and/or the safety and wellbeing of those within the relevant statutory safeguarding zones [MM94]. The policies map will need to be amended to define the sites and safeguarding zones. This will ensure that the Plan is effective and consistent with national policy relating to defence establishments.

## **Conclusion**

278. Subject to the main modifications referred to above, the policies in the Plan relating to economic development are justified and consistent with national policy, and will be effective in supporting economic growth.

## **Issue 12 – Are the other strategic and development management policies in the Plan justified, consistent with national policy and effective?**

279. This issue considers the soundness of all of the Plan's policies not covered under the preceding main issues.

## **Climate change and sustainable construction (policies SP5 and DM4)**

280. National planning policy expects the planning system to help shape places in ways that contribute to radical reductions in greenhouse gas emissions, including through the design of development. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards<sup>84</sup>.

281. The Planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. However, such

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<sup>84</sup> NPPF 152 and 154b.

policies must not be inconsistent with relevant national policies and should use standards that are nationally endorsed.

282. The written ministerial statement on local energy efficiency standards published on 13 December 2023<sup>85</sup> advises that changes to energy efficiency building regulations are planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continues to decarbonise. Compared to varied local standards, which can add cost and complexity, such nationally applied standards provide much-needed clarity and consistency for businesses to invest and prepare to build net zero ready homes. In that context, the Government does not expect local plans to set local energy efficiency standards that go beyond current or planned building regulations. Any planning policies that do propose higher energy efficiency standards should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures that:

- development remains viable, and the impact on housing supply and affordability is considered; and
- the additional requirement is expressed as a percentage uplift of a dwelling's Target Emission Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

283. West Berkshire has carbon emissions well above average levels for the South East and England, and the Council declared a climate emergency in 2019 with the stated aim of becoming carbon neutral by 2030<sup>86</sup>. Fuel poverty levels are also relatively high in the district<sup>87</sup>.

284. Mitigating and adapting to climate change and minimising demand for energy and other resources is one of the Plan's strategic objectives. Policy SP5 requires all development to contribute to West Berkshire becoming and staying carbon neutral by 2030 including by applying the energy hierarchy, achieving the highest viable levels of energy efficiency, generating and supplying renewable, low and zero carbon energy, and as a last resort carbon offsetting in accordance with policy DM4. Policy DM4 requires development to achieve net zero operational carbon emissions (regulated and unregulated energy) by implementing the energy hierarchy, meeting specified minimum standards of construction, and including onsite renewable, low and zero carbon energy technologies.

285. The minimum construction standards for residential development set out in policy DM4 part 1A require compliance with the carbon TER set by the Future Homes Standard once this is confirmed by central government, and in the meantime a 63% reduction in carbon emissions by on-site measures as

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<sup>85</sup> Statement UIN HCWS123.

<sup>86</sup> Plan 10.12 and 10.13 and Table 5.

<sup>87</sup> Plan 10.15.

compared to the baseline emission rate set by Building Regulations Part L 2021 (SAP 10.2). Part 1A also sets a target expressed in terms of the Building Regulations Fabric Energy Efficiency metric (15kWh/m<sup>2</sup>/year). The latter is intended to ensure that fabric energy efficiency is achieved as a key step in meeting the TER target, which itself is expected to be achieved before the addition of onsite renewable, zero and low carbon energy technologies.

286. Policy DM4 part 1B sets construction standards for residential refurbishments and part 2 sets standards for non-residential development. These are expressed in terms of achieving BREEAM excellent, which is a nationally recognised and achievable standard.
287. The final part of policy DM4 states that if development cannot demonstrate that it is net zero carbon in relation to operational energy (regulated and unregulated) it will be required to address any residual carbon emissions by a cash in lieu contribution.
288. The Council has provided a significant amount of detailed evidence for policies SP5 and DM4, including from specialist consultants<sup>88</sup>. This includes analysis of national policy and legislation; technical evidence relating to the emerging Future Homes Standard including through the national Future Homes Hub relating to technologies and standards; and the potential implications for building costs including in circumstances in which financial contributions are required for carbon offsetting. With regard to the latter, the increase in costs associated with meeting the requirements of policy DM4 is estimated to be around 5% based on national data adjusted to take account of local circumstances. These additional costs, which are not insignificant, were factored into the viability assessment of the Plan which I concluded earlier demonstrates that the cumulative impact of the policy requirements is unlikely to undermine the viability of development, having made reasonable assumptions about building costs and values, developer profits and benchmark land values.
289. The overall aim of policies SP5 and DM4 - development achieving net zero operational carbon emissions - is consistent with national planning policy. The overarching energy efficiency target in DM4 part 1A is expressed in terms of TER as required by the written ministerial statement, and the levels set are justified in the context of current and planned building regulations and the Council's detailed evidence. The policy relating to fabric energy efficiency is also expressed in terms of the building regulations metric. Thus, whilst that particular standard is not referred to in the written ministerial statement, I am satisfied that it is a practical and measurable approach that avoids adding complexity through the introduction of different metrics.
290. However, the approach in policy DM4 does go beyond current and planned building regulations in a number of respects including by stipulating that fabric energy efficiency should be the first step in achieving the TER target; requiring

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<sup>88</sup> CC1 (December 2022) and EXAM39 (June 2024).

that target to be met before account is taken of on-site renewable, zero and low energy technologies; and by referring to both regulated and unregulated energy. Notwithstanding that, the Council's evidence demonstrates that the approach should be effective in ensuring that development achieves net zero operational carbon emissions without compromising the financial viability of development in West Berkshire.

291. Furthermore, whilst following the specified approach will reduce flexibility for developers, and at least in the short to medium term present some additional challenges in terms of detailed design, materials, technologies and construction skills, there is no substantive evidence to indicate that those cannot be overcome. The effect of the standards on the overall affordability of housing in West Berkshire, which is affected by various factors, is difficult to assess but there is no substantive evidence to indicate it is likely to be significant. Moreover, the climate emergency and fuel poverty mean that it is essential to achieve significant improvements in the standards of construction in the district. I am therefore satisfied that the approach of going beyond current, and potentially future, building regulations is justified in the particular circumstances of West Berkshire and the significant, persuasive evidence provided for the detailed requirements of policy DM4.

292. Overall, therefore, the approach set out in policies SP5 and DM4 is justified and consistent with national policy and should be effective in helping to mitigate climate change and tackle fuel poverty. However, policy DM4 needs to be modified to replace the single fabric energy efficiency target for residential development with specific targets, still expressed in the building regulations SAP metric, relevant to different types of dwelling. This will ensure the policy is effective and justified in terms of viability based on recent research<sup>89</sup>. Detailed wording changes also need to be made, for effectiveness, to parts 1B, 2 and 3 of DM4 to clarify the requirements relating to residential refurbishments and non-residential development [MM75]. The reasoned justification needs to be modified accordingly, and to refer to a supplementary planning document which is being prepared by the Council to provide further guidance [MM76].

### **Flood risk, water resources, water quality and waste water (policies SP6, DM6 and DM7)**

293. A number of changes to the detailed wording of parts of policy SP6 and associated reasoned justification are necessary to ensure effectiveness and consistency with national policy on development and flood risk, including in relation to the sequential and exception tests and by adding reference to cumulative impacts and to surface water flooding in the Newbury and Thatcham area [MM10 and MM11].

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<sup>89</sup> EXAM39.

294. The reasoned justification to policy DM6 needs to be modified to refer to recent legislation relating to water quality and nutrient pollution relevant to the River Lambourn including the Levelling Up and Regeneration Act 2023 and the Designation of Sensitive Catchment Areas Notice 2024 [MM77]. This will ensure that the policy is effective and justified.
295. The requirement in policy DM7 for all new dwellings to meet the optional building regulations requirement of 110 litres/person/day is justified, subject to a change to the detailed wording, because the Thames Water region is under serious stress. However, a number of changes to other parts of the policy and reasoned justification are required, including deletion of the references to development being “water neutral” and clarification of the approach to the provision of water supply and wastewater treatment infrastructure capacity to serve development including through the reference to phasing where necessary. This modification [MM78], and associated modification to the reasoned justification [MM79], will ensure that policy DM7 is justified and consistent with national policy. Consequential modifications are required to the RSA policies to delete references to water and waste water infrastructure in order to avoid duplication and inconsistency; these are listed under main issue 7.

**Landscape (policy SP8), green infrastructure (policy SP10), biodiversity (policy SP11), and trees, woodland and hedgerows (policy DM15)**

296. Policy SP8 supports development which conserves and enhances the diversity and local distinctiveness of the landscape character of the district and requires planning applications to be accompanied by an appropriate landscape assessment that is proportionate to the scale and nature of the proposal. This policy is consistent with national policy and no modification is required.
297. Policy SP10 aims to protect and enhance local and strategic green infrastructure across the district. A modification is required to the detailed wording of part (o) relating to buffer zones along watercourses, to ensure effectiveness [MM15].
298. Policy SP11 sets out various requirements aimed at ensuring that development conserves and enhances biodiversity and includes specific references to internationally designated sites, nationally designated sites, irreplaceable habitats, and sites of local importance. In most respects this is consistent with national policy. However, modifications are required to the sections on biodiversity net gain, to avoid duplication with statutory requirements and inconsistency with national policy, and to clarify part (d) relating to buffer zones. This will ensure the policy is justified and effective [MM16]. Consequential modifications are required to the reasoned justification [MM17].

299. Policy DM15 aims to conserve and enhance trees, woodlands and hedgerows. Modifications are needed to the third paragraph and associated reasoned justification to ensure the requirement relating to Tree Preservation Orders is clear and consistent with national policy [**MM84** and **MM85**].

### **Historic environment (policies SP9 and DM9 to DM14)**

300. Policy SP9 aims to set out a positive strategy for the conservation and enjoyment of the historic environment along with development management policies relating to different types of heritage asset. Further detailed development management policies are set out in policies DM9 to DM14 relating to conservation areas, listed buildings, non-designated heritage assets, registered parks and gardens, registered battlefields and assets of archaeological importance. The intention of these policies is to be consistent with national policy and provide additional detail to ensure an effective approach to decision making in the specific context of West Berkshire.
301. In principle, the approach is justified. However, modifications are required to various parts of some of the policies to ensure consistency with national policy and effectiveness. Policy SP9 and reasoned justification need to be modified to clarify the actions that will be taken to deliver a positive strategy for the conservation and enjoyment of the historic environment; to ensure an appropriate approach to decision making in relation to designated and non-designated heritage assets; and to delete reference to “enabling development” [**MM13** and **MM14**]. Some changes to policy DM9, DM10 and DM11, and associated reasoned justification, are also required to ensure an effective approach to decision making for development affecting conservation areas, listed buildings and non-designated heritage assets that is consistent with national policy [**MM80** to **MM83**].

### **Residential development in the countryside (policy DM1 and DM23 to DM27)**

302. Policy DM1 states that, exceptionally, residential development outside settlement boundaries will be permitted and sets out a number of criteria that would need to be met. Policies DM23 to DM27 each set out criteria to consider whether specific types of residential development will be supported in the countryside: housing for rural workers; conversion of existing buildings to dwellings; replacement of existing dwellings; extensions of residential curtilages; and sub division of existing dwellings.
303. In most respects these policies are consistent with national policy and will be effective for the purposes of preparing and determining planning applications relating to such types of development which is particularly important in a rural district such as West Berkshire. However, modifications are required to the detailed wording of parts of DM1 and DM27 to ensure that they are justified and effective [**MM73** and **MM89**].



### **Health and wellbeing (policy DM3)**

304. Policy DM3 needs to be modified to clarify how development proposals are expected to contribute to supporting healthy lifestyles and providing new health facilities where appropriate for effectiveness. The requirement for proportionate health impact assessments to support certain types of development also needs to be clarified to be consistent with national policy [MM74].

### **Infrastructure requirements and delivery (policy SP24)**

305. Policy SP24 relates to existing, improved and new physical, social and green infrastructure. To ensure effectiveness and consistency with national policy, a modification is required to clarify that development will be required to ensure the timely and coordinated delivery of necessary infrastructure, having regard to the latest version of the Council's Infrastructure Delivery Plan, through proportionate financial contributions and/or on-site provision, and that where necessary the phasing of development will be linked to infrastructure provision [MM34].

### **Transport impacts and infrastructure (policies SP23, DM42, DM44 and DM45)**

306. Policies SP23, DM42, DM44 and DM45 relate to the assessment and mitigation of impacts on the transport network, providing and improving transport infrastructure, and facilitating sustainable travel. In most respects, these are justified and consistent with national policy aimed at promoting sustainable transport. However, policy DM42 needs to be reworded to clarify that development will, where necessary, be required to make a proportionate contribution to the provision of, or improvement to, transport infrastructure before setting out the list of projects [MM102]. Policies DM44 and DM45 and associated reasoned justification need to be modified so that appropriate weight is given to Council guidance relating to highway design and parking standards, and to clarify the requirement for monitoring the implementation of travel plans [MM105 to MM107]. This will ensure those policies are justified and effective.

### **Digital infrastructure (policy DM41)**

307. Policy DM41 relates to the provision of digital infrastructure, including fibre to the premises and telecommunications. However, parts of the policy either duplicate or are inconsistent with national policy and, following changes to the building regulations, parts of the policy represent unnecessary duplication. Parts (a) to (d) should, therefore be deleted [MM101].

### **Conclusion**

308. The modifications described above are necessary to ensure that the development management policies in the Plan referred to under this issue are justified, consistent with national policy and effective.

## Overall Conclusion and Recommendation

309. The Plan has a number of deficiencies in respect of soundness and/or legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
310. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix the West Berkshire Local Plan Review 2022-2039 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*William Fieldhouse*

Inspector

This report is accompanied by an Appendix containing the main modifications.