

## Comment

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Event Name	Proposed Submission (Reg 19) West Berkshire Local Plan Review 2022-2039
Comment by	Battlefields Trust ( Battlefields Trust - 960845)
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### 1. Do you consider the Local Plan Review is legally compliant?

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

Yes

### Please give reasons for your answer

Thank you for the opportunity to comment on this plan. The Battlefields Trust would like to commend West Berkshire Council for developing a specific policy related to the registered and unregistered battlefields at Newbury.

In the last paragraph of the policy, we wondered whether it might be possible to strengthen this by adding after the word 'assessment': 'using best practice methodology for investigating battlefields supervised by an archaeologist with prior experience of battlefield archaeology'.

The Battlefields Trust would also like to see the statement in the supporting text section of policy DM13 (Registered Battlefields) strengthened so that the Battlefields Trust will be consulted (as a non-statutory consultee) in the event planning applications are made on the Newbury battlefield(s). At the moment the supporting text indicated the planning authority will consider consulting the Battlefields Trust.

In para 10.114 we assume the second battle of Newbury (1644) will be considered under the policy relating to undesignated heritage assets (DM11). At the moment the text says that this policy is DM12 (which relates to Parks and Gardens), so this needs correcting.

We wonder whether it might be possible to define the area of the second Newbury battlefield somewhere to assist developers in knowing which areas are included. The Battlefields Trust attempted to have this battlefield included in a Local Listing in 2014/15, but this was rejected by West Berkshire Heritage Forum because '...to do so would entail discussions and negotiations with the many landowners involved, for which the Heritage Forum has not the administrative or legal resources or the public standing. It could perhaps be undertaken by Historic England for national listing or West Berkshire Council for local listing.' Historic England rejected registering the battlefield in July 2020 on the grounds that the topographic integrity of the battlefield was lacking, though it acknowledged that 'there are still disparate parts of the battlefield that are undeveloped'. On this basis a Local Listing initiated by West Berkshire Council appears to be the best way to delineate the boundaries of the battlefield. The Battlefields Trust would be happy to work with West Berkshire Council in developing such a listing.

Finally, the Battlefields Trust remains concerned about the impact permitted development can have on registered battlefields and wondered if you might consider applying an Article 4 direction to the registered area of the first Newbury (1643) battlefield? The Battlefields Trust has been working with Hinckley and Bosworth Council on developing a proportionate Article 4 direction for the Bosworth (1485) battlefield along the lines of: 'all development within relevant permitted development classes that are within the registered area need to be reviewed for archaeological impact and mitigation put in place if that is deemed necessary; and for any permitted development above a certain height (say 5m) needs to be considered as a normal planning application as it may have an impact on the battlefield setting.'

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

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

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

*Please tick all that apply:*

**Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development.**

**Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.**

**Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.**

**Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF.**

## 6. Notification of Progress of the Local Plan Review

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

*Please tick all that apply*

**The submission of the Local Plan Review for  
Independent Examination**

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

**The adoption of the Local Plan Review**