

WEST BERKSHIRE DISTRICT COUNCIL
COLD ASH NEIGHBOURHOOD DEVELOPMENT PLAN 2022-2039
POST-EXAMINATION DECISION STATEMENT

February 2024

Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the report to West Berkshire District Council of the independent examination of the Cold Ash Neighbourhood Development Plan ("the Plan") by Independent Examiner, Andrew Mead, which was received by the Council on 3 January 2024.

This decision statement, the independent Examiner's report, and the submission version of the Cold Ash Neighbourhood Development Plan (NDP) and supporting documents are available to view on the Council's website:

<https://www.westberks.gov.uk/coldashnp>.

1. Introduction

- 1.1. Under the Town and Country Planning Act 1990 (as amended), West Berkshire District Council ("the Council") has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans and to take plans through a process of examination and referendum. The Localism Act 2011 sets out the responsibilities under Neighbourhood Planning.
- 1.2. Following receipt of the Examiner's report, the Council must make a decision on the next steps. As set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) these are:
 - (a) to decline to consider a plan proposal under paragraph 5 of Schedule 4B to the 1990 Act (as applied by section 38A of the Planning and Compulsory Purchase Act 2004) or a modification proposal under paragraph 5 of Schedule A2 to the 2004 Act;
 - (b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 8 of Schedule A2 to the 2004 Act;
 - (c) what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan or under paragraph 13 of Schedule A2 to the 2004 Act in relation to a proposed modification of a neighbourhood development plan;

- (d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or paragraph 14(6) of Schedule A2 to the 2004 Act;
 - (e) whether to extend the area to which the referendum is (or referendums are) to take place; or
 - (f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or the draft plan under paragraph 14(4) of Schedule A2 to the 2004 Act.
- 1.3. In accordance with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended), this report forms the Council's Decision Statement, and sets out the Council's decision and the reasons for this.

2. Background to the Cold Ash NDP

Designation of the Neighbourhood Area

- 2.1. On 19 March 2018, the Council designated the Cold Ash Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parish of Cold Ash and lies solely within the West Berkshire Local Planning Authority Area.

Submission of the Cold Ash Neighbourhood Development Plan

- 2.2. Cold Ash Parish Council, the qualifying body, submitted the draft Cold Ash Neighbourhood Development Plan (NDP) and supporting documents to the Council on 20 June 2023.
- 2.3. Following submission of the NDP, the Council publicised the Plan and supporting documents and invited representations during the consultation period which ran from 21 July to 1 September 2023. At a meeting of Council on 5 October 2023, it was agreed that the Cold Ash NDP could proceed to independent examination.

3. Independent examination of the Cold Ash NDP

- 3.1. The Council, with the consent of Cold Ash Parish Council, appointed an independent examiner, Mr. Andrew Mead MRTPI MIQ, to review the NDP and consider whether it should proceed to referendum.
- 3.2. The examination of the plan took place by way of written representations between November and December.
- 3.3. The Examiner's final report was received on 3 January 2024. The report concluded that subject to modifications, the Cold Ash NDP should proceed to referendum. The Examiner also recommended that the referendum area be

based on the Neighbourhood Area that was designated by the Council on 19 March 2018.

4. Post examination

- 4.1. Regulations 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the local planning authority to outline what action to take in response to the recommendations of the examiner following the formal examination.
- 4.2. The examiner's report is not binding, and it is the responsibility of the Council to ultimately decide if the examiner's suggested recommendations and modifications should be followed or not.

5. Decision and reasons

- 5.1. Having considered the recommendations in the Examiner's report and the reasons for them, the Council, with the consent of Cold Ash Parish Council, has decided to accept the modifications to the submitted Plan under Paragraph 12(2) of Schedule 4B to the Town and Country Planning Act 1990.
- 5.2. The Council is satisfied that, subject to the modifications which it considers should be made, as set out in Table 5.1 below, that the Cold Ash NDP meets the Basic Conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended), is compatible with the Convention rights and complies with the provision made by or under 61E(2), 61J and 61L of the said Act.

Table 5.1: Examiner’s proposed modifications to the Cold Ash NDP

Policy (page no.)	Examiner’s modifications (insertion <u>underlined</u> , deletion as strikethrough)	Decision and justification	Action taken and revised modification
Title of Figure 6, policy CAP1: Location of Development, p.26	Amendments to the title wording: Figure 6: Settlement boundaries and green gaps, <u>outside which</u> where development should be avoided to prevent <u>result in further coalescence</u>	The Council agree with the Examiner’s recommendation.	No further action required. Modification to be taken forward to the final plan.
Figure 6, CAP1: Location of Development, p.26	Deletion of the Green Gaps from Figure 6	The LPR and Cold Ash NDP will both become part of the same development plan. Planning Practice Guidance (Reference ID: 41-009-20190509) is clear that complementary neighbourhood and local plan policies are produced.	
Criterion 2, policy CAP1: Location of Development, p27	Deletion of the final sentence of the second paragraph: 2. Development proposals outside the settlement boundaries will only be supported where: a.... b.... c.... d.... Such development must not individually or cumulatively result in physical and/or visual coalescence and loss of separate identity of the individual settlements in the parish (Cold Ash or Ashmore Green) from neighbouring settlements, and from each other. The green gaps shown in Figure 6 demonstrate the areas most sensitive to this.	Policy ADPP1 of the Core Strategy Development Plan Document (DPD) sets out the development approach based on three spatial areas, one of which is Newbury and Thatcham. The parish of Cold Ash lies within this spatial area. The approach of policy ADPP1 is maintained within policy SP1 of the LPR. As part of the preparation of the LPR, it has been identified that the pressure for development within the Newbury and Thatcham spatial area has the potential to lead to the loss of the separate and distinct identity of both settlements, in addition to the settlements surrounding them, through coalescence.	
Figure 7, policy CAP2: Local character and heritage, p.30	Deletion of Green Gaps from Figure 7 and from the notation for Figure 7	Policy CS19 of the Core Strategy DPD seeks to ensure that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character, so as to create a strong sense of place and local identify. The principles of policy CS19 have been maintained within policy SP8 of the LPR.	
Policies Maps, p.101-104	Deletion of the Green Gaps from the Policies Map		

Policy (page no.)	Examiner's modifications (insertion <u>underlined</u> , deletion as strikethrough)	Decision and justification	Action taken and revised modification
		<p>Policy DM2 of the West Berkshire Local Plan Review (LPR) identifies green gaps between Newbury and Thatcham, between Thatcham and Cold Ash, and between Thatcham and Ashmore Green. Policy CAP1 identifies different green gaps to those in policy DM2.</p> <p>The modifications are necessary to ensure that the Plan meets the Basic Conditions, in particular, have regard to national guidance and be in general conformity with policies contained within the development plan.</p>	
Figure 6, policy CAP8: Iconic Views, p.65	Deletion of the image of View 6 from Fishers Lane to Snelsmore Common	The Council agree with the Examiner's recommendation.	No further action required. Modification to be taken forward to the final plan.
Paragraph 6.33, 6 th point, policy CAP8: Iconic Views, p.65	Deletion of viewpoint number 6: 6. From Fishers Lane to Snelsmore Common	The purpose of policy CAP8 is to ensure that development proposals are designed in such a way that they do not significantly harm iconic views from publicly accessible viewpoints.	
Figure 13, policy CAP8: Iconic Views, p.67	Deletion of viewpoint number 6 from Figure 13	The photograph illustrating viewpoint 6 was taken from a drone and is not a publicly accessible viewpoint.	
Policy CAP8: Iconic Views, p.68	Deletion of viewpoint number 6: 6. From Fishers Lane to Snelsmore Common		
Appendix B: Iconic Views, p.117	Deletion of viewpoint number 6.		
CAP12: Sunken Lanes, p.84	<p>Deletion of the final sentence, including items listed a. to d:</p> <p>Development proposals should respect the character and appearance of sunken lanes within the neighbourhood area. Development proposals which</p>	<p>The Council agree with the Examiner's recommendation.</p> <p>Planning is concerned with the use and development of land. Therefore, transport matters can only be considered where they relate to the</p>	No further action required. Modification to be taken forward to the final plan.

Policy (page no.)	Examiner's modifications (insertion <u>underlined</u> , deletion as strikethrough)	Decision and justification	Action taken and revised modification
	<p>would detrimentally affect the character of a sunken lane or create a new access onto such a lane will not be supported. In particular, the following will need to be incorporated:</p> <p>a. the level of the road or track should not be raised; b. the height of the embankments should not be reduced; c. the existing width should be retained, with no widening; and d. minimal or, ideally, no road markings.</p>	<p>changes of use and / or the physical development of sites.</p> <p>Policy CAP12 sets out specific requirements for roads. These are matters for the local highway authority, and not planning.</p>	
Policy CAP13: Public Car Parking, p.86	<p>Deletion of paragraph 3.b:</p> <p>3. Any new or replacement car parks should incorporate the following facilities:</p> <p>a. b. future-proofed four hour or faster electric vehicle charging points (or wireless charging facilities) that are affordable, reliable and open access electric vehicle charging points. At minimum, proposals for EVCP's should conform to the requirements for electric vehicle charge points in non-residential buildings outlined in the English Buildings Regulations, Approved Document S.</p>	<p>The Council agree with the Examiner's recommendation.</p> <p>The detail of electric charging points is covered by Part S of the Building Regulations which came into effect in June 2022, and it is therefore not a matter for the NDP to consider.</p>	No further action required. Modification to be taken forward to the final plan.
Sub-heading 'Policy CAP15: Supporting commercial businesses and expansions, p.91	Policy CAP15: Supporting commercial businesses and expansions	<p>The Council agree with the Examiner's recommendation.</p> <p>The modifications are necessary to bring the policy in line with paragraphs 84 and 85 of the NPPF, and policies CS9 and CS10 of the Core Strategy DPD.</p>	No further action required. Modification to be taken forward to the final plan.
CAP15: Supporting Commercial Businesses,	<p>Amendments to the title of the policy and the policy to:</p> <p>POLICY CAP15: SUPPORTING COMMERCIAL BUSINESSES, EXISTING AND EXPANSIONS</p>	<p>The modifications are necessary to ensure that the Plan meets the Basic Conditions, in particular, have regard to national guidance and be in general</p>	

Policy (page no.)	Examiner's modifications (insertion <u>underlined</u> , deletion as strikethrough)	Decision and justification	Action taken and revised modification
Existing and Expansions, p.92	<p>Proposals for new or expanded commercial, <u>and</u> business and service activity (<u>Use</u> Classes B2, B8 and E(g)) will be supported <u>at within</u> the Red Shute industrial estate or, where they bring redundant or vacant land based rural operations back into use, <u>or where they help to diversify the rural economy</u> subject to the following criteria:</p> <ul style="list-style-type: none"> a. b. c. d. <u>the proposal respects the character and appearance of the immediate locality in terms of height, scale, design and massing;</u> e. <u>the proposal would encourage the re-use of previously developed land where opportunities exist.</u> 	conformity with policies contained within the development plan.	
Sub-heading 'Policy CAP16: Supporting SMEs, Flexible Start-ups and Homeworking', p.93	Policy CAP16: Supporting SMEs, and flexible start-ups, and homeworking		
CAP16: Supporting SMEs, Flexible Start-ups and Homeworking, p.94	<p>Amendments to the title of the policy and the policy to:</p> <p>POLICY CAP16: SUPPORTING SMES, <u>AND</u> FLEXIBLE START-UPS AND HOMEWORKING</p> <p>1. Proposals to provide working spaces that encourage homeworking and creative small industries, for instance through incubator/start-up business space on flexible terms, will be supported through:</p> <ul style="list-style-type: none"> a. The <u>provision of new buildings, or extensions to,</u> or conversion of existing buildings, including redundant farm and rural buildings; and 	<p>The Council agree with the Examiner's recommendation.</p> <p>The modifications are necessary to bring the policy in line with paragraphs 84 and 85 of the NPPF, and policies CS9 and CS10 of the Core Strategy DPD.</p> <p>The modifications are necessary to ensure that the Plan meets the Basic Conditions, in particular, have regard to national guidance and be in general conformity with policies contained within the development plan.</p>	No further action required. Modification to be taken forward to the final plan.

Policy (page no.)	Examiner's modifications (insertion <u>underlined</u> , deletion as strikerthrough)	Decision and justification	Action taken and revised modification
	<p>b. enabling extensions and small new garden buildings to facilitate homeworking, within Use Class (E(g)(i)).</p> <p>2. As appropriate to their scale, nature and location, proposals must:</p> <p>a.</p> <p>b.</p> <p>c.</p> <p>d.</p> <p>e. seek, where possible, to sustain any historic, architectural or archaeological interest the building may have either individually or through association with one or more heritage assets, unless unavoidable harm is justified on the basis of the public benefits, including the enabling of the building's optimum viable future use; <u>and</u></p> <p>f. <u>respect the character and appearance of the immediate locality in terms of height, scale, design, and massing; and</u></p> <p>g. <u>encourage the re-use of previously developed land where opportunities exist.</u></p>		

- 5.3. Several minor modifications have been identified by the Council which are required to correct typographical and factual errors within the Plan. The Examiner's report at paragraph 4.29 comments that *"further amendments might also include incorporating factual updates, correcting minor inaccuracies, text improvements suggested helpfully by WBDC...none of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes."*
- 5.4. These modifications, which have been agreed with Cold Ash Parish Council, do not affect the nature of the Plan. The minor modifications and the justification for them is set out in Table 5.2 below.

Table 5.2: The Council’s minor modifications to the Cold Ash NDP

NDP chapter / policy / paragraph (page no.)	Council’s minor modification (insertion underlined and deletion as strikethrough)	Justification
Throughout the document, reference to Cold Ash Parish	Cold Ash P parish	Typographical modification.
1 st sentence, Executive summary, p.3	Cold Ash parish is diverse in nature, sitting partially within an area of the North Wessex Downs National Landscape (previously known as Area of Outstanding Natural Beauty (AONB))	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
1 st sentence, paragraph 1.10, p.8	The CANDP has regard to the policies set out in the National Planning Policy Framework (NPPF); and was independently examined in the context of the NPPF published on 5 September 2023. most recently updated in July 2024. All references are to that version of the NPPF.	Factual and explanatory modification. A revised version of the NPPF was published on 19 December 2023, and the additional text explains that the NDP was examined within the context of the NPPF that was published on 5 September 2023.
1 st sentence, paragraph 1.18, p.9	The LPR’s overarching strategy divides West Berkshire into three core spatial areas where Cold Ash Parish is located predominantly within the Newbury and Thatcham area, although a sliver to the east lies in the North Wessex Down National Landscape (previously known as Area of Outstanding Natural Beauty (AONB)) area .	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Sub-section heading before paragraph 1.22, p.9	As set out in the Countryside and Rights of Way Act 2000, the primary purpose of the AONB National Landscape is to ‘conserve and enhance the natural beauty of the area’.	
2 nd sentence, paragraph 1.22, p.9	As set out in the Countryside and Rights of Way Act 2000, the primary purpose of the AONB National Landscape is to ‘conserve and enhance the natural beauty of the area’.	
1 st and 2 nd sentences, paragraph 1.23, p.10	A small part of the north-eastern part of Cold Ash Parish is located within the eastern end of the AONB National Landscape . Whilst the remainder of the parish sits outside the AONB National Landscape , it does form part of the setting of the AONB National Landscape and therefore the Wessex Downs Management Plan is relevant as is the AONB National Landscape Design guidance.	

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined and</u> deletion as striethrough)	Justification
Diagram after paragraph 1.23, p.10	Facts about the North Wessex Downs <u>National Landscape, previously known as</u> AONB (source: North Wessex AONB <u>National Landscape</u> Unit)	
Final sentence, paragraph 1.25, p.12	Full details of the consultation will be <u>were</u> included in the Consultation Statement that will accompany <u>ied</u> the Submission Version Plan, in due course.	Typographical modification
Table 1: Main stages of engagement activity, p.12	<u>Date column, final row:</u> Stage 4: 2021-202 <u>4</u> 3 <u>Milestone column, final row:</u> Finalising Policies & Plan: Including final consultation and agreement via Referendum). Key activities column, final row: <ul style="list-style-type: none"> • Submission Version Plan submitted to LPA. • <u>Examination and Referendum.</u> 	Factual modifications to reflect that the NDP has been through independent examination.
1 st bullet point, paragraph 2.21, p.18	a small proportion of the parish is in the Wessex Downs <u>National Landscape (previously known as</u> AONB), as it flows down from the Ridge into the Pang Valley	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs).
Final sentence, paragraph 2.26, p.19	The one exception to development on the fringe of the parish is the area to the north of The Ridge, which is either in the Wessex Downs <u>National Landscape</u> AONB or is part of the natural buffer area flowing into it.	The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
4 th bullet point, paragraph 3.1, p.22	Virtually the only predominantly rural or semi-rural parish in West Berks that is not protected by <u>National Landscape (previously known as</u> AONB) designation (although a small part of the north-eastern parish lies within the AONB <u>National Landscape</u>).	
Objective 2, paragraph 3.4, p.23	To protect the rural character and green spaces in and around the villages and other settlements, conserving and enhancing the attractiveness of the landscape, including its contribution to the North Wessex Downs AONB <u>National Landscape</u> ...	

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined</u> and deletion as strikethrough)	Justification
Final sentence, paragraph 4.4, p.24	Beyond this, the parish is 'open countryside', with parts to the north-east falling within the North Wessex Downs <u>National Landscape (previously known as AONB)</u> .	
Final sentence of criterion iii, paragraph 4.6, p.25	The rural gap between the villages and the Newbury and Thatcham settlement areas, which incorporate the urban elements of the parish, should be protected from development as this will restrict coalescence and reduce impacts on the North Wessex Downs AONB <u>National Landscape</u> and its setting.	
Point 2, criterion b, policy CAP1, p.27	the development preserves or enhances the character or appearance of the area, including the setting of the North Wessex Downs <u>National Landscape (previously known as AONB)</u> ; or	
Criterion 2e, Policy CAP1: Location of Development, p.27	e. it is on sites allocated for those uses in the West Berkshire <u>Housing</u> Site Allocations Development Plan or its successor.	Factual modification to provide the correct name of the document.
Policy CAP1, conformity refs, p.27	...NPPF: 11, 29, 60, 79 , <u>83, 804</u> , 149 23 , 120, 124 5 , 124 8 , 13 50 , 174 80 , 176 82 , 190 6 , 197 200	Factual modification to include the correct NPPF paragraph numbers.
2 nd sentence, paragraph 5.2, p.28	The largely rural parish contributes to the setting of the North Wessex Downs <u>National Landscape (previously known as AONB)</u> ,...	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Table 2: Local Character Zones Zone 1b. Ashmore Green, final sentence, p.32	Given the variety of housing, there is no single style that dominates, however a key feature throughout is single storey housing which complements <u>complements</u> and blends into both the settlement boundary itself and the fields or woodland surrounding it.	Typographical modification
Table 2: Local Character Zones 2 nd sentence, Zone 3: Rural Zone, p.33	It is not anticipated that any development will happen in these rural environments – part of which are situated within the AONB <u>National Landscape</u> , and all of which contribute towards the AONB's <u>National Landscape's</u> setting	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Policy CAP2, conformity refs, p.35	NPPF: 131 26 to 139 4 , 195 89 , 190 6 , 192 05-9 to 205 10	Factual modification to include the correct NPPF paragraph numbers.

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined</u> and deletion as strikethrough)	Justification
Final sentence, paragraph 5.11, p.36	It complements existing design guidance, at the national and strategic level, and adds a local dimension to this, reflecting issues of importance raised by the local community and bearing in mind the proximity of the AONB <u>National Landscape</u> .	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Paragraph 5.13, final bullet point, p.36	The North Wessex Downs AONB <u>National Landscape</u> Management Plan: contains policies relating to design within the AONB <u>National Landscape</u> . This is particularly relevant to Cold Ash, part of which is sited within the AONB <u>National Landscape</u> , whilst the villages are located within the broader setting.	
Paragraph 5.17, p.37	... (para 127 <u>32</u>).	Factual modification to include the correct NPPF paragraph numbers.
Paragraph 5.17, penultimate sentence, p.37	Context and identity; Nature; Built form; Homes and Buildings; and Movement (see Figure 8 overleaf).	Typographical modification
2 nd and final sentences, paragraph 5.20, p.38	Cold Ash and Ashmore Green villages, located within the Village Zone, contribute significantly to the setting of the AONB <u>National Landscape</u> , by way of their geographical location. It will be important, therefore, to ensure that the guidance contained within the AONB <u>National Landscape</u> Management Plan	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Criterion b, policy CAP3: Design of Development, p.43	the guidance contained in the Quality Design West Berkshire Supplementary Planning Document and the North Wessex Downs AONB <u>National Landscape</u> Management Plan.	
Policy CAP3, conformity refs, p.43	NPPF: 104 8 , <u>11208</u> , 120 4 , <u>12631</u> to 141 <u>36</u> , 15 7 <u>2</u>	Factual modification to include the correct NPPF paragraph numbers.
Policy CAP4, conformity refs, p.45	NPPF: 13 5 <u>0</u> , 15 2 <u>7</u> to <u>15560</u>	
New criteria to be included after criterion a and before criterion b, paragraph 5.75, p.47	<u>It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.</u> <u>Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.</u>	Explanatory modification suggested by Thames Water who are the statutory water supply and sewerage undertaker for West Berkshire district. The modification provides greater information on sewerage and water supply infrastructure. The Examiner's report at paragraph 4.29 comments that "further amendments might also include text improvements suggested by...Thames Water...none of these alterations would affect the ability of the Plan to meet the Basic

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined</u> and deletion as strikethrough)	Justification
	<p>The Local Planning Authority will seek to ensure that there is <u>adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.</u></p>	<p><i>Conditions and could be undertaken as minor, non-material changes."</i></p>
Policy CAP5, conformity refs, p.51	NPPF: 159 <u>65</u> – 175 <u>69</u>	Factual modification to include the correct NPPF paragraph numbers.
Final sentence, paragraph 6.3, p.51	It is considered important, therefore, to seek to enhance the green infrastructure assets (green spaces, wildlife sites, access routes and historic sites) of the Neighbourhood area <u>Parish</u> where possible.	Typographical modification
2 nd sentence, paragraph 6.5, p.52	It has been informed by the Landscape Character Assessment and biodiversity work undertaken by the AONB <u>North Wessex Downs National Landscape</u> unit	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs).
1 st and final sentences, paragraph 6.13, p.56	Covering much of the northern part of the parish, including those areas falling within the North Wessex Downs AONB <u>National Landscape</u> This chimes with the priorities for the AONB <u>National Landscape</u> for this type of landscape.	The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Policy CAP6, conformity refs, p.56	NPPF: 180-74, 175, 176 <u>182, 179</u> 85, 180 <u>6</u>	Factual modification to reflect the correct paragraphs of the NPPF.
2 nd sentence, paragraph 6.15, p.57	This is particularly important in the context of the Parish being located within the setting of the North Wessex Downs AONB <u>National Landscape</u> .	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs).
Final bullet point, paragraph 6.16, p.57	<ul style="list-style-type: none"> a comprehensive network of Public Rights of w<u>Way</u>, (see Public Rights of Way), including a network of bridleways 	The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
1 st row, Table 3, paragraph 6.18, p.57	[Designation column] North Wessex Downs AONB <u>National Landscape</u>	Typographical modification
		Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs).

NDP chapter / policy / paragraph (page no.)	Council's minor modification (<u>insertion underlined and deletion as strikethrough</u>)	Justification
	[Sites column] The north-eastern part of the parish lies within the AONB <u>National Landscape</u> . The remainder of the parish contributes to the setting of the AONB <u>National Landscape</u> .	The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Criterion a, policy CAP7: Managing the environmental impact of development, p.63	The guidance and advice contained in the Quality Design West Berkshire SPD, the North Wessex Downs AONB <u>National Landscape</u> Management Plan	
Policy CAP7, conformity refs, p.64	NPPF: 170 80 – 188 2	Factual modification to include the correct NPPF paragraph numbers.
First sentence, paragraph 6.35, p.68	It should be noted that the <u>CAP</u> NDP policy...	Typographical modification
Policy CAP8, conformity refs, p.68	NPPF: 131 26 , 127 32 , 135 0	Factual modification to include the correct NPPF paragraph numbers.
Final sentence, paragraph 6.38, p.69	Paragraph 106 2 of the NPPF...	
Policy CAP8, conformity refs, p.70	NPPF: 104 5 – to 103 7 , 137 42 to –156 4	
3 rd and final paragraphs, paragraph 6.41, p.72	An additional consideration is that parts of Cold Ash, to the north and east, lie within the North Wessex Downs AONB <u>National Landscape</u> and light spill is detrimental to this area of outstanding natural beauty and to its wildlife. The AONB <u>National Landscape</u> supports dark skies...	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Final bullet point, paragraph 6.42, p.72	...(Figure 6.7 <u>15</u>).	Editorial modification to reflect amendments to figure numbers.
Figure 6.7, p.72	Figure 6.7: <u>Figure 15:</u> Map showing levels of radiance for Cold Ash Parish (source: CPRE, www.nightblight.cpre.org.uk)	
Policy CAP10, conformity refs, p.73	NPPF: 194 85	Factual modification to include the correct NPPF paragraph numbers.
3 rd sentence, criterion 2, policy CAP11: Encouraging Sustainable Movement, p.81	Materials and layout must be sympathetic to local character, in accordance with Policy CAP2 (Character and Design) of this Neighbourhood Development Plan, the Quality Design guidance for West Berkshire, and the North Wessex Downs AONB <u>National Landscape</u> Management Plan.	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined</u> and deletion as strikethrough)	Justification
Policy CAP11, conformity refs, p.81	NPPF: 92 <u>96</u> , 104 8 to 110 6	Factual modification to include the correct NPPF paragraph numbers.
Figure 18, p.83	Figure 19 <u>18</u> : Sunken lanes in Cold Ash Parish	Editorial modification to reflect amendments to figure numbers.
Paragraph 7.19, p.84	The policy supports the objectives of the North Wessex Downs <u>National Landscape</u> AONB, which seeks...	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs). The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Policy CAP12, conformity refs, p.84	NPPF: 126 31 , 127 32 , 178 04 , 175 81 , 179 85 , 195 <u>89</u> , 196 0	Factual modification to include the correct NPPF paragraph numbers.
First sentence, paragraph 7.24, p.85	The provision of electric vehicle charging points (<u>EVCPs</u>) at such locations	Typographical modification
Policy CAP13, conformity refs, p.86	NPPF: 96 <u>2</u> , 108 4 , 405, 406 -110	Factual modification to include the correct NPPF paragraph numbers.
First sentence, paragraph 8.2, p.87	Table 48-1 shows the...	Editorial modification to reflect amendments to figure numbers.
Table 4, p.87	<u>Table 4: Community Facilities and supported improvements</u>	Editorial modification to include table name and reference
First sentence, paragraph 8.3, p.88	Proposals for new development, which involve these important community facilities, identified in the table <u>Table 4</u> above, will be supported	Editorial modification to reflect amendments to table numbering.
Paragraph 8.4, p.88	In terms of sporting and recreational facilities, opportunities to enable wider community access to sporting facilities with Downe House School are being explored by CPC <u>the Parish Council</u>	Typographical modification
Figure 19, p.89	Figure 20 <u>19</u> : Map showing key community facilities	Editorial modification to reflect amendments to figure numbers.
Policy CAP14, conformity refs, p.90	NPPF: 90 <u>86</u> , 92 6 , 93 7	Factual modification to include the correct NPPF paragraph numbers.
Sub-heading 'Policy CAP15: Supporting commercial businesses and expansions', p.91	Policy CAP15: Supporting commercial businesses and expansions	The title refers to 'expansions'. Through supporting commercial businesses, proposals for the expansion of new and existing premises will in turn be supported. For clarity, the reference to 'expansions' needs to be removed.
Final sentence, paragraph 9.2, p.91	Notwithstanding this, the CAPNDP would be supportive of proposals...	Typographical modification

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined</u> and deletion as strikethrough)	Justification
2 nd sentence, paragraph 9.3, p.91	Cold Ash village has retained a post-office, general-purpose grocery shop, and two pubs. The main commercial area in the parish is the Red Shute industrial estate, <u>a designated Protected Employment Area in the Local Plan</u> ...	<p>Factual modification to reflect designation of Red Shute Hill as a Protected Employment Area in the Local Plan.</p> <p>The Examiner's report at paragraph 4.29 comments that <i>"further amendments might also include factual updates...none of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes."</i></p>
3 rd sentence, paragraph 9.3, p.91	Larger-scale commercial activity should continue to be focussed on this site, although <u>smaller-scale</u> sustainable growth, for instance through the conversion of existing vacant or underused buildings, which are 'suitably located' and of appropriate scale, form and high-quality design, and which adhere in total to the policies set out in this plan, will be supported <u>in the Parish</u> ; 'suitably located' means where they do not adversely affect the locality and the amenities of residents.	<p>For clarity, and to align with the strategic policies of the Local Plan (Core Strategy policy CS9 and submission LPR policy SP20), it needs to be specified that <u>smaller scale</u> sustainable growth will be supported in areas within the Parish. This is because larger scale proposals will take place at Red Shute Hill.</p> <p>The Examiner's report at paragraph 4.29 comments that <i>"further amendments might also include text improvements...none of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes."</i></p>
Policy CAP15, conformity refs, p.92	Conformity Ref: CAPNDP Objectives: 6; Adopted Core Strategy: <u>ADPP2</u> , CS9; Local Plan Review: <u>SP1</u> , SP20; NPPF: 84 <u>5</u> , 82 <u>6</u> , 848 – 90, 85, 86	Factual modification to include reference to the relevant Local Plan and Local Plan Review policies.
Sub-heading 'Policy CAP16: Supporting SMEs, flexible start-ups, and homeworking', p.93	Policy CAP16: Supporting SMEs, <u>and</u> flexible start-ups, and homeworking	<p>The supporting text to the policy suggests that the purpose of the policy is to encourage small businesses, which may be from a home environment. However, it seems to be confusing this with homeworking in the sense where office workers work from home. Homeworking is generally permitted development (in which case this policy would not need to be considered), but the intention is to allow non-residents to be employed, thus going beyond what is 'home working'.</p> <p>For clarity, the references to homeworking need to be removed.</p>

NDP chapter / policy / paragraph (page no.)	Council's minor modification (<u>insertion</u> underlined and deletion as strikethrough)	Justification
Final sentence, paragraph 9.6, p.93	This policy recognises the growing contribution of home-based and smaller businesses to the parish and seeks to encourage opportunities for them. This would provide a greater incentive and opportunity for local people to work locally. Homeworking is defined as a person who is working from their house, apartment, or place of residence, rather than working from the office.	<p>The supporting text to the policy suggests that the purpose of the policy is to encourage small businesses, which may be from a home environment. However, it seems to be confusing this with homeworking in the sense where office workers work from home. Homeworking is generally permitted development (in which case this policy would not need to be considered), but the intention is to allow non-residents to be employed, thus going beyond what is 'home working'.</p> <p>For clarity, the references to homeworking need to be removed.</p>
2 nd sentence, paragraph 9.7, p.93	This suggests a need to consider attracting specialist companies to relocate to the Parish (as supported in our in Policy CAP15)	Typographical modification
Paragraph 9.8, p.93	As homeworking becomes more possible, this can be encouraged by supporting the creation of spaces for uses which can be carried out in a residential area without detriment to its amenity, for instance home office spaces. The intention is to allow non-residents to be employed from the domestic premises, albeit subject to the activity meeting the limitations set out in Clause 2 of the policy. Such a policy does give encouragement to economic activity within the parish whilst incorporating controls to prevent activities having a detrimental impact on the amenity of the locality. This policy only applies where the scale of activity is such that there is a need for planning permission, as much working from home can take place without planning consent being required	<p>The supporting text to the policy suggests that the purpose of the policy is to encourage small businesses, which may be from a home environment. However, it seems to be confusing this with homeworking in the sense where office workers work from home. Homeworking is generally permitted development (in which case this policy would not need to be considered), but the intention is to allow non-residents to be employed, thus going beyond what is 'home working'.</p> <p>For clarity, the references to homeworking need to be removed.</p>
New paragraph 9.8, p.93	<u>The roll-out and continued improvement of digital infrastructure will be supported to enable SMEs, start-up businesses</u> To support homeworking and other activities, all new residential, commercial and community properties within the parish should be served by (or be ready for) Fibre to Premises a superfast broadband (fibreoptic) connection, unless it can be demonstrated through consultation with British Telecom that this would not be either possible, practical or economically viable. The Parish Council will explore, with the local authorities and commercial	<p>Although the Government and the NPPF support and encourage the inclusion of highspeed broadband, there are no statutory requirements which support this aspiration. Policies can, however, encourage and support high speed broadband provision within new development sites. For clarity, the supporting text must reflect this.</p> <p>To reflect the fast-changing nature of technology, it is more appropriate to use the term 'digital infrastructure'.</p>

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined</u> and deletion as strikethrough)	Justification
	providers, opportunities for this and the deployment of improved mobile coverage in the parish. Through the Berkshire Digital Infrastructure Group, the Berkshire Unitary Authorities are implementing a Digital Strategy and have set-out a "Connected Berkshire Vision and Strategy" to ensure that over 95% of households and business have access to full fibre coverage (providing Gigabit capable connectivity) and to eliminate all 4G poor coverage areas by 2025.	Through the Berkshire Digital Infrastructure Group, the Berkshire Unitary Authorities are implementing a Digital Strategy and have set-out a "Connected Berkshire Vision and Strategy" to ensure that over 95% of households and business have access to full fibre coverage (providing Gigabit capable connectivity) and to eliminate all 4G poor coverage areas by 2025. To help achieve the strategy, a suite of guidance is in preparation which will include planning guidance, a DigOnce approach, and a universal wayleaves agreement.
CAP16, conformity refs, p.94	Conformity Ref: CAPNDP Objectives: 6; Adopted Core Strategy: CS9; Local Plan Review: <u>SP1</u> , SP20; NPPF: 850, 836, 848	Factual modification to include the correct NPPF paragraph numbers.
First sentence, paragraph 10.1, p.95	<u>Table 5</u> he table below identifies...As such, they are not the subject of planning policies in the Neighbourhood Plan <u>CAPNDP</u> .	Editorial modifications to include table name and acronym
Table 5: Non-policy actions, p.95	<u>Table 5: Non-policy actions</u>	
Table 5: Non-policy actions, p.95	Undertake regular star counts to feed into <u>National Landscape</u> and CPRE data....	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs).
Ref 6, possible actions column		The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
Table 5: Non-policy actions, p.95	Local astronomical group, local community, schools, North Wessex Downs <u>National Landscape</u> AONB Unit	
Ref 6, lead agencies and partners column		
Policies Map	Figure 21 <u>20</u> : Parish-wide policies map	Editorial modification to reflect amendments to figure numbers.
Figure 20, p.103		
Policies Map	Figure 22 <u>24</u> : Parish-wide policies - villages	
Figure 21, p.104		
1 st row (Dark Skies of the North Wessex Downs: A Guide to Good External	[Author column] North Wessex AONB <u>National Landscape</u> Unit	Factual modification to reflect the name change of all designated Areas of Outstanding Natural Beauty (AONBs).

NDP chapter / policy / paragraph (page no.)	Council's minor modification (insertion <u>underlined</u> and deletion as strikethrough)	Justification
Lighting), chapter 15: Reference Pack, p.108		The Neighbourhood Area lies within the North Wessex Downs AONB. On 22 November 2023, all designated AONBs were renamed as National Landscapes.
11 th row (Guidance on the selection and use of colour in development), chapter 15: Reference Pack, p.108	[Author column] North Wessex AONB <u>National Landscape</u> Unit	
29 th row, North Wessex Downs Management Plan 2019 to 2024 chapter 15: Reference Pack, p.108	[Author column] North Wessex AONB <u>National Landscape</u> Unit	

- 5.5. This Decision Statement confirms that the recommendations proposed in the Examiner's report have been considered and accepted, that the Plan has been altered as a result of it, and that it may now be submitted to local referendum.

6. The referendum area

- 6.1. The Council is in agreement with the Examiner's recommendation that there is no policy or proposal significant enough to have an impact beyond the designated Neighbourhood Area. Any referendum which takes place in due course must be contiguous with the boundary of the designated Neighbourhood Area as illustrated in Figure 6.1 below.

Figure 6.1: Cold Ash Neighbourhood Area



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