

Summary of representations received by West Berkshire District Council on the Cold Ash Neighbourhood Development Plan as part of the Regulation 16 consultation

Consultation dates: 21 July 2023 – 1 September 2023

Respondent	Policy / paragraph	Summary of comment
Canal and River Trust	General	Canal and River Trust have no waterways, assets or land interests within the Neighbourhood Area and therefore have no comment to make.
Donnington New Homes	CAP1	Promotion of land at Ashmore Green Farm, Stoney Lane, Ashmore Green. Residential development on this land would accord with the principles of the policy. If as part of a future review of the NDP Cold Ash Parish Council decide to allocate sites for residential development, the site should be considered.
Exolum Pipeline System	General	Plan of client's apparatus submitted. Exolum should be contacted if there are any works in the vicinity of their pipeline.
Historic England	General	Do not consider it necessary to provide detailed comments at this time. Reference is made to comments submitted to the pre-submission Regulation 14 submission. Link provided to Historic England guidance.
National Highways	General	Following a review of the consultation documents, National Highways have no comments to make.
Nexus Planning for Croudace Homes Ltd	CAP1	<p>Croudace Homes has an option agreement with the landowners of Henwick Park in Thatcham. Policy CAP1 seeks to introduce a Buffer Zone that includes Henwick Park. The Buffer Zone largely relates to landscape matters.</p> <p>There is no justification in the evidence base for the Buffer Zone. The respondent commissioned a review of the landscape evidence and evidence base documents which concludes:</p> <ul style="list-style-type: none"> • Buffer Zone is contrary to policy DM2 in the Local Plan Review which identifies two new green gaps to the north of Thatcham. • Buffer Zone is not supported by any evidence to justify its inclusion and is at odds with the findings of the landscape evidence prepared for the West Berkshire Local Plan Review (LPR). • The Character Zones set out within NDP policies CAP2 and CAP3 are unduly restrictive and do not make adequate provision for development which responds to its location at the Urban Fringe of Thatcham as opposed to elsewhere in the Parish. • NDP policy CAP8 identifies a view which looks southwards towards Thatcham across Henwick Park as 'iconic'. There is little evidence to suggest that it is notably specific, nor what valuable attributes should be protected. <p>West Berkshire Council's evidence base for the LPR indicates that Henwick Park is suitable for development:</p>

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		<ul style="list-style-type: none"> • Housing and Economic Land Availability Assessment: site assessed as 'potentially developable in part'. • West Berkshire Appropriate Countryside Designation Study: site formed part of the assessment to determine whether specific designations for countryside areas around Newbury and Thatcham would be appropriate for green gap/wedge designations. Whilst the study does identify two pieces of land between Ashmore Green and Cold Ash and Thatcham, the site lies outside of these parcels. • West Berkshire Strategic Vision 2050: site referenced as being within an area identified for future growth. • Thatcham Strategic Growth Study: site referenced as being within an area identified for future growth. <p>The construction of drainage basins associated with the Thatcham Flood Alleviation Strategy has altered the landscape within which this site sits. The urbanising effect of this development, which has commenced. Has further breached the landscape quality and has already breached the Buffer Zone.</p> <p>The NDP fails to meet the Basic Conditions:</p> <ul style="list-style-type: none"> • having regard to national policies and advice contained in guidance issued by the Secretary of State: there is no mention within national planning policy, other than in relation to Green Belt, where coalescence should be minimised and the distinctive character of villages retained. There is no Green Belt land within Cold Ash; • the making of the plan contributes to the achievement of sustainable development: the NDP does not have sustainable development at its heart and is seeking to restrict development in areas not restricted at district-level. Without evidence, it does not promote sustainable development or meet the Basic Conditions test; • Be in general conformity with the strategic policies contained within the development plan: the NDP fails to accord with adopted and emerging planning policy. By seeking to implement a 'buffer zone' which is not present in the adopted Core Strategy and which is greater in area than that proposed by the LPR, the NDP, by default, promotes less development than adopted policy and based on the recently submitted LPR, will soon be out of date due to its lack of accordance with the emerging policies.
Plainview Planning Ltd on behalf of Mr and Mrs Liebreich	Paragraph 1.18	This paragraph discusses the LPR overarching strategy in relation to settlement boundaries which it seeks to align with. Comments in relation to that policy were submitted through the Regulation 19 pre-submission consultation on the LPR.
	Paragraph 3.4	This paragraph includes a table of objectives. Objective 1 references that new development will be directed to within settlement boundaries only. This indicates that any development outside an existing

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		<p>tightly drawn boundary (which in some cases cuts through domestic curtilages for example) will not be considered sustainable. However, this does not recognise that there could be more sustainable locations for development adjacent to settlement boundaries, depending on very particular circumstances – such as existing non-residential buildings, brownfield or contaminated land, hydrology or the like.</p> <p>Objective 1 should be amended as follows:</p> <p>Development should meet an identified need and be directed to the most sustainable locations <u>generally</u> within the defined settlement boundaries.</p>
	CAP1	<p>Objective 1 of the NDP is reflected through CAP1 which sets out a number of circumstances within which development outside settlement boundary will be acceptable.</p> <p>The list does not include previously developed/brownfield land, or land immediately adjacent to settlement boundaries which could potentially be more sustainable than that within. We suggest that the redevelopment of previously developed land on sites that are well related to identified settlement boundaries, and/or where there are clear local benefits be supported.</p> <p>The following two further exceptions should be added:</p> <p><u>f) it is within and/or well related to settlements with defined development boundaries, and represents limited infill or the redevelopment of previously developed or degraded land;</u></p> <p><u>g) it results in meaningful landscape, biodiversity, flood risk or other benefits in accordance with other policies within the NDP.</u></p> <p>Paragraph 3 of the policy also fails to recognise that brownfield land outside the settlement boundary can be sustainably developed and indeed its reuse is encouraged at national level. The policy should be amended as follows:</p> <p>3. In determining development proposals substantial weight will be given to the value of using suitable brownfield land within <u>and adjacent or well related to</u> the settlement boundaries for either homes and/or other identified needs, or to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.</p> <p>Making specific reference to supporting opportunities for development in sustainable locations which provide landscape, biodiversity and other enhancements is suggested. This would reflect the overarching vision and objectives of the NDP by ensuring such development is sustainable, makes the best use of</p>

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		<p>previously developed land, is of the highest quality, enhances the landscape and produces carbon efficient homes.</p> <p>The following additional text should be added:</p> <p><u>4. Positive weight will be afforded to developments that exceed sustainability standards, provide enhancements to the landscape, enhance local character or amenities, or provide environmental or climate enhancements beyond the requirements of BNG.</u></p>
	CAP2	<p>Support for reference to innovative design. There is an opportunity to positively support wider visual enhancements to the village, and the following modification is proposed to paragraph Bii of the policy:</p> <p>Improvements and enhancements should include, where appropriate, additional tree planting, the enhancement of roadside green space, the reduction/consolidation of road signs and other street furniture, <u>the opening up views</u>, and wider green infrastructure improvements that are identified as being <u>of value</u>.</p>
	Paragraph 5.41 (supporting text to policy CAP3)	<p>No reference is made to replacement dwellings as a potential form of new development that will be supported. This is particularly relevant when existing housing is life-expired/no longer fit for purpose and where a replacement dwelling can offer benefits in terms of energy efficiency.</p> <p>A new paragraph should be included:</p> <p><u>Replacement dwellings will be supported where the dwelling they replace is no longer fit for purpose and life expired. The siting and scale of replacement dwellings should reflect the specifics of the individual site and consider whether alternative siting would allow wider improvements to the landscape, biodiversity and to maximise the inclusion of sustainable design principles.</u></p>
	CAP4	Support for policy
	CAP5	Support for policy
	CAP6	Support for policy
	Paragraph 6.11 (supporting text to policy CAP6)	Welcome the aspiration to explore Biodiversity Opportunity Areas for the local green space sites as described in paragraph 6.11. As owners and promoters of part of their land for inclusion as a Local Green Space, they look forward to being included in discussions.
	CAP7	Support for policy
	CAP8	Support for policy
	CAP9	Support for policy
	CAP10	Support for policy
Rectory Homes	n/a	The respondent has a land option for a site at New Farm, The Ridge, Cold Ash.

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		<p>The NDP does not include any housing allocations. The LPR is at examination and there is therefore scope that it may be amended dependent on the Inspector's conclusions following the hearing sessions. Rectory Homes representations to the Regulation 19 proposed submission consultation on the LPR cite concerns with the approach to housing delivery – minimum housing requirement is not specified, no provision to assist with Reading's unmet housing need, the housing land supply will be marginal, no certainty that the windfall allowance accounted for in the supply will come forward, and LPR may be out of date shortly after adoption.</p> <p>Additional sites will need to be identified for allocation in order to provide a Plan that is positively prepared and sound. There are opportunities within the Newbury and Thatcham sub-area to provide a mix of additional large and small site allocations within the settlements of Newbury and Cold Ash to provide a robust strategy on housing delivery. As such, there is a high probability that through the examination of the West Berkshire Local Plan Review it is established that Cold Ash will need to allocate sites for housing within the NDP.</p> <p>The site at New Farm, The Ridge, Cold Ash is considered to be an appropriate location for small-scale infill development of new homes.</p>
	CAP1	<p>The criteria in part 2 of the policy is too restrictive, and a very limited amount of sites would receive support from the policy. As the housing strategy in the LPR relies on 20% of the housing requirement being delivered on windfall sites, planning policies which relate to the location of housing should be flexibly worded and with a broader range of circumstances in which proposals can receive policy support. One such addition would be to include a criterion which allows for the development of infill sites outside of the defined settlement boundaries if the proposal would reflect the existing settlement pattern and such sites are already substantially enclosed (on at least three sides) by existing built form.</p>
	CAP2	<p>Support for general thrust and principles of policy, however part B iii is not entirely consistent with the National Planning Policy Framework (NPPF). The policy requires development proposals to enhance the significance and setting of an asset however this is not always possible. The NPPF is more flexibly worded, stating at Paragraph 197 local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.</p> <p>It does not explicitly require development proposals to result in an enhancement of the significance and setting of a heritage asset.</p> <p>The NPPF even sets out circumstances in which development proposals can be supported even where it has been established that there will be harm to a heritage asset. Depending on the level of harm considered, paragraphs 201 and 202 of the NPPF provide the policy tests where development can be supported.</p>

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		<p>Part B iii should be reworded to remove any reference to proposals needing to enhance the significance and setting of a heritage asset as such assets are already afforded due protection through the NPPF and with appropriate policy tests. Instead, the policy should require the provision of a Heritage Statement with every planning application for development which is considered to / or has the potential to, affect a heritage asset. This will ensure any impacts of a proposed development will be appropriately considered.</p>
	CAP3	<p>Support for policy.</p>
	CAP4	<p>Generally supportive of policy, however part d is not specific enough in what is required. As currently drafted, it is unclear exactly what constitutes 'low carbon sustainable design' and what is meant by 'avoid or mitigate all regulated emissions by following the energy hierarchy.' The policy is not specific enough for an applicant or indeed the decision maker to be certain of what is expected. This is contrary to Paragraph 16 of the NPPF which requires local planning policies to be unambiguous.</p> <p>Policy SP5 of the LPR had similar issues in requiring 'all development to achieve the highest viable levels of energy efficiency.' Such an approach will require a viability assessment to be submitted with every planning application, leading to further delays due to negotiations regarding what level of efficiency can be achieved.</p> <p>Part d should either re-written to be clearer in what is expected and required, with appropriate justification and compliance with adopted and emerging planning policy or removed from the policy altogether.</p>
	CAP6	<p>Support for policy.</p>
	CAP8	<p>Acknowledgement of the purpose of the policy in protecting important views across the Neighbourhood Area. However, such views must undoubtedly be from publicly accessible areas and legitimate in order to benefit from protection under the policy.</p> <p>Viewpoint 2 extends over the area known as Land at New Farm, The Ridge. Figure 13 in the NDP shows this perceived view on plan form as taken from the point along The Ridge where the road meets the private road serving The Birches and The Holding and the Public Right of Way which extends to the northwards.</p> <p>Appendix B to the Neighbourhood Plan forms photos showing each iconic view deemed worthy of protection. The photo included for viewpoint 2 (From The Ridge across Westrop Farm and Westrop Gully) does not accurately reflect any public viewpoints from The Ridge or any other publicly accessible location within the immediate area. The site at New Farm, The Ridge is not publicly accessible and the site boundary with The Ridge is formed of mature trees – albeit, this boundary is 'gappy' in places and there is an agricultural field gate located at the north-western corner of the site which does permit some views across the site from these points. However, the photo enclosed at Appendix B in the NDP does not represent any achievable public views from these locations.</p>

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		<p>Clarification is needed on where exactly the photo shown at Appendix B for viewpoint is taken from. Appears the photo has been taken from the site itself, which is private land and from an elevated position. If this cannot be suitably evidenced, Viewpoint 2 as currently shown should be removed from Policy CAP8.</p>
Sport England	General	<p>No specific comments made on the NDP. General advice provided in respect of :</p> <ul style="list-style-type: none"> • compliance with paragraphs 98 and 99 of the NPPF; • compliance with the health and well-being section of Planning Practice Guidance • evidence base and assessing needs; • demand for sport as a result of new development; • Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land; and • design.
Thames Water	Paragraph 5.79 and CAP5	<p>Support for paragraph 5.79 in principle, however the wording could be improved to cover both sewerage and water supply infrastructure.</p> <p>A key sustainability objective for the preparation of Local Plans and NDPs should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure.</p> <p>The Planning Practice Guidance (PPG) and the NPPF have regard to the provision of infrastructure:</p> <ul style="list-style-type: none"> • Paragraph 11: Plans should apply a presumption in favour of sustainable development that aligns growth and infrastructure. • Paragraph 20: plans should promote a sustainable pattern of development that should make sufficient provision to water supply and wastewater. • Paragraph 26: effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary. • Paragraph 28: non-strategic policies can include allocations for the provision of infrastructure. • PPG: Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. <p>The NDP should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs).</p>

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		<p>It is recommended that the NDP include the following text:</p> <p><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></p> <p><u>“The Local Planning Authority will seek to ensure that there is 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>
	CAP5	<p>Support for policy CAP5 in principle in relation to Sustainable Drainage Systems and drainage systems, but this needs to be strengthened.</p> <p>PPG states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers". Flood risk sustainability objectives and policies should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.</p> <p>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.</p> <p>Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.</p> <p>SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.</p>

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		<p>The following paragraph should be included in the NDP:</p> <p><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></p>
	General	<p>The Environment Agency has designated the Thames Water region to be “seriously water stressed” which reflects the extent to which available water resources are used. Future pressures on water resources will continue to increase and key factors are population growth and climate change.</p> <p>Water conservation and climate change is a vitally important issue to the water industry. Not only is it expected to have an impact on the availability of raw water for treatment but also the demand from customers for potable (drinking) water. Therefore, Thames Water support the mains water consumption target of 110 litres per head per day as set out in the PPG (Paragraph: 014 Reference ID: 56-014-20150327) and support the inclusion of this requirement in the Policy.</p> <p>Understanding of Thames Water that the water efficiency standards of 105 litres per person per day is only applied through the building regulations where there is a planning condition requiring this standard (as set out at paragraph 2.8 of Part G2 of the Building Regulations). As the Thames Water area is defined as water stressed it is considered that such a condition should be attached as standard to all planning approvals for new residential development in order to help ensure that the standard is effectively delivered through the building regulations.</p> <p>Within Part G of Building Regulations, the 110 litres/person/day level can be achieved through either the ‘Calculation Method’ or the ‘Fittings Approach’ (Table 2.2). The Fittings Approach provides clear flow-rate and volume performance metrics for each water using device / fitting in new dwellings. Thames Water considers the Fittings Approach, as outlined in Table 2.2 of Part G, increases the confidence that water efficient devices will be installed in the new dwelling. Insight from their smart water metering programme shows that household built to the 110 litres/person/day level using the Calculation Method, did not achieve the intended water performance levels.</p> <p>Proposed policy text recommended for inclusion:</p> <p><u>Development must be designed to be water efficient and reduce water consumption. Refurbishments and other non-domestic development will be expected to meet BREEAM water-efficiency credits. Residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption) using the ‘Fittings Approach’ in Table 2.2 of Part G of Building Regulations. Planning conditions will be applied to new residential development to ensure that the water efficiency standards are met.</u></p>

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		<p>There are no new allocations in the NDP and the level of information does not enable Thames Water to make an assessment of the impact the proposed development will have on the waste water/sewerage network infrastructure and sewage treatment works. To enable us to provide more specific comments we require details of the type and scale of development together with the anticipated phasing.</p> <p>Paragraph 1.35 of the NDP states: <i>“When submitting the Nutrient calculator you will also need to provide evidence that you have received permission for connection or have applied for connection to Thames Water systems and which precise wastewater treatment works you have applied to connect to. It is recommend that developers contact Thames Water to discuss their development proposals by using their pre app service.”</i></p> <p>Thames Water recommends that developers contact them to discuss their development proposals by their pre app service and therefore support the second sentence of paragraph 1.35 in this respect.</p> <p>In the event of an upgrade to Thames Water sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade. As a developer has the automatic right to connect to their sewer network under the Water Industry Act they may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.</p>
The Downland Practice	General	The Practice do not object to any housing developments in the Cold Ash/Hermitage area, the increase in patient numbers will have a direct effect on services from the Downland Practice. This will be mainly GP appointments and Nursing care but also the provision of pharmacies services. The Downland Practice will be interested in accessing any S106 and Community Infrastructure Levy contribution for health services to meet the increased demand associated with the aggregate impact of housing developments in Cold Ash/Hermitage area.
Transport for London	General	No comments

Representations are available to view in full on West Berkshire District Council’s website: <https://www.westberks.gov.uk/coldashnp> and on the Council’s Planning Policy Consultation Portal: <https://consult.westberks.gov.uk/kse/>.