

Examination of West Berkshire Local Plan 2022-2039

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IN31: Further hearing sessions: 1, 2 and 3 October 2024

Introduction

Following the hearing sessions held between 8 May and 26 June 2024 I have published action points, which the Council has responded to and proposed main modifications accordingly.

I have now decided to hold further hearing sessions on **Tuesday 1, Wednesday 2 and Thursday 3 October 2024** to consider the Council's responses to a number of action points as set out below. The sessions are provisionally expected to be as follows (see below for details of the issues and questions):

- Tues 1 October North East Thatcham strategic site
- Weds 2 October Housing land supply
- Thurs 3 October Policies DM4 and RSA25

If any representor that made relevant regulation 19 representations wishes to participate at one or more of those hearing sessions they should inform the Programme Officer by **midday on Friday 6 September 2024**. If they wish to submit a written statement in response to the questions that I set out below this must be received by the Programme Officer by that date. Any written statements should focus on answering the specific questions; there is no need to repeat information provided in previous written statements. Statements should include no more than 500 words in response to each question (unless otherwise stated).

If the Council wishes to submit a written statement in response to any of the questions set out below it should also be received by the Programme Office by **midday on Friday 6 September 2024**. However, there is no need to repeat information contained in response to the responses to the various action points referred to below.

Agendas for the further hearing sessions will be published during the week commencing 23 September 2024.

M4. North East Thatcham strategic site

The Plan's proposals for the North East Thatcham site were discussed at hearing sessions on 21 and 22 May and 26 June 2024. Various modifications to the policy, reasoned justification and indicative site map that had been proposed by the Council in its matter 4 written statement [WS4/1 26 March 2024] and in response to AP15 to AP26 [EXAM42A 24 June 2024] were discussed at those sessions. Since then, the Council has proposed revised main modifications in response to further action points that I published on 28 June and 31 July 2024 [IN29 and IN30].

The Council's response to AP73 was published on 5 July 2024 [EXAM46] and the responses to AP75 and AP76 were published on 19 August 2024 [EXAM51 and EXAM52]. These set out revisions to the main modifications to policy SP17 and the reasoned justification previously proposed by the Council.

The revised modifications proposed in response to EXAM46, EXAM51 and EXAM52 include:

- Up to approximately 2,500 dwellings being built on the site.
- The masterplan being adopted as SPD within 12 months of the Plan being adopted.
- Clarification of the requirements relating to community facilities, green infrastructure, public open space, heritage assets and flood risk.

The Council's revised trajectory [EXAM54] indicates that 60 dwellings will be completed on the North East Thatcham site in 2030/31 and a total of 1,760 by 31 March 2041.

SQ4.24. Will the revised modifications to policy SP17 and reasoned justification proposed in response to EXAM46, EXAM51 and EXAM52 relating to the number of dwellings proposed, community facilities, green infrastructure, public open space, heritage assets, flood risk and masterplanning ensure that the Plan is effective in achieving sustainable development on the site?

Responses to SQ4.24 can be up to 2,000 words in length.

SQ4.25. Is there clear evidence to indicate that there is a realistic prospect that 60 dwellings will be built on the North East Thatcham site by 31 March 2031, and is there a reasonable prospect that a total of 1,760 dwellings will be built on the site by 31 March 2041?

M7. Housing land supply

The Council's responses to AP77 and AP78 were published on 19 August 2024 [EXAM53, EXAM53A And EXAM54]. These propose a number of main modifications to the Plan including:

- Four additional allocations for residential development.
- Identification of a broad location for growth to the north of Newbury.
- An updated housing trajectory.

The response to AP77 refers to an additional site (CA16 The Creek, Heath Lane, Thatcham) being suitable for the development of 45 dwellings but this is not proposed as an additional allocation as the Council has been unable to obtain confirmation that it is available.

The sites referred to above and proposed main modifications to the Plan have been subject to sustainability appraisal [EXAM53A]. Evidence about the availability and anticipated timing of development on each of the proposed allocations is included in site deliverability forms in EXAM54.

CA12 Henwick Park, Bowling Green Road, Thatcham (225 dwellings)

The Council's modified housing trajectory indicates that development will start on this site in 2028/29 and be completed in 2032/33. The site deliverability form indicates the developer intends to start development in 2026/27 and to complete 225 dwellings by 31 March 2031.

SQ7.13. Are the proposed development parameters for CA12 Henwick Park justified, and will they be effective in achieving sustainable development on the site? In particular, will part (g) be effective in avoiding or minimising adverse impacts on the setting of the AONB and the distinctive separate identify of Cold Ash?

SQ7.14. Is there clear evidence to indicate that there is a realistic prospect that 150 dwellings will be built on proposed allocation CA12 Henwick Park by 31 March 2031, and is there a reasonable prospect that a total of 225 dwellings will be built on the site by 31 March 2041?

CA17 Regency Park Hotel, Bowling Green Road, Thatcham (45 dwellings)

The Council's modified housing trajectory indicates that development will start on this site in 2028/29 and be completed in 2029/30. The site deliverability form indicates the developer intends to complete 150 dwellings on the site in 2026/27.

SQ7.15. Are the proposed development parameters for CA17 Regency Park Hotel justified, and will they be effective in achieving sustainable development on the site? In particular, will part (r) be effective in avoiding or minimising adverse impacts on the setting of the AONB and the distinctive separate identify of Cold Ash?

SQ7.16. Is there clear evidence to indicate that there is a realistic prospect that 45 dwellings will be built on proposed allocation CA17 Regency Park Hotel by 31 March 2030?

TIL13 Pincents Lane, Tilehurst (138 dwellings)

The Council's modified housing trajectory indicates that development will start on this site in 2028/29 and be completed in 2030/31. The site deliverability form indicates the developer intends to complete 35 dwellings on the site in 2027/28 and to complete 165 dwellings by 31 March 2030.

SQ7.17. Are the proposed development parameters for TIL13 Pincents Lane justified, and will they be effective in achieving sustainable development on the site? In particular will:

- (b) to (e) be effective in ensuring the provision of safe and suitable access for all users and the cost effective mitigation of any significant impacts on the transport network (capacity and congestion) and on highway safety?
- (f) be effective in avoiding or minimising adverse impacts on the setting of the AONB and preventing the merging of Tilehurst, Calcot and Theale?
- (n) be effective in conserving the setting of Pincents Manor grade II listed building?

SQ7.18. Is there clear evidence to indicate that there is a realistic prospect that 138 dwellings will be built on proposed allocation TIL13 Pincents Lane by 31 March 2031?

PAN8 North of Pangbourne Hill, Pangbourne (25 dwellings)

The Council's modified housing trajectory indicates that development will start on this site in 2028/29 and be completed in 2029/30.

SQ7.19. Are the proposed development parameters for PAN8 Pangbourne Hill justified, and will they be effective in achieving sustainable development on the site? In particular, will:

- (b) to (e) be effective in ensuring the provision of safe and suitable access for all users and the cost effective mitigation of any significant impacts on the transport network (capacity and congestion) and on highway safety?
- (f) be effective in avoiding or minimising adverse impacts on the environment, landscape and recreational opportunities of the AONB?

SQ7.20. Is there clear evidence to indicate that there is a realistic prospect that 25 dwellings will be built on proposed allocation PAN8 Pangbourne Hill by 31 March 2030?

Broad location for growth north of Newbury

The Council's response to AP77 proposes modifications to policies SP1 and SP12 to identify a broad location for growth north of Newbury where additional urban extensions, for approximately 650 to 800 homes, are anticipated to be allocated through the Local Plan towards the end of the plan period to meet longer term strategic needs for housing and to ensure the coordinated delivery of supporting infrastructure.

SQ7.21 Are the proposed modifications to policies SP1 and SP12 identifying a broad location for growth to the north of Newbury necessary to make the Plan sound? If so, would the proposed wording be effective and consistent with national policy? In particular:

- a) Is it clear from the proposed wording that allocations would be made through a future review and update to the Plan?

b) Is it evident how a decision maker should react to proposals that may come forward for development in the broad location before the Plan has been reviewed and updated?

Five year housing land supply 2026 to 2031

The Council's response to AP77 and modified housing trajectory indicates that a total of 3,195 dwellings are expected to be built between 1 April 2026 and 31 March 2031 on sites allocated in the Plan and on windfalls. This compares to a five year requirement (including 5% buffer) for that period of 2,704 dwellings meaning that there would be a surplus of 491 dwellings or a deliverable supply of 5.9 years.

SQ7.22. Does the available evidence indicate that there is a realistic prospect that a total of 3,195 dwellings will be built between 1 April 2026 and 31 March 2031 on land identified in the Plan?

Housing land supply for the plan period 2023 to 2041

The Council's response to AP77 and modified housing trajectory indicates that a total of 10,143 dwellings are expected to be built between 1 April 2023 and 31 March 2041 on commitments, sites allocated in the Plan and on windfalls. This compares to a requirement for that period of 9,270 dwellings meaning that there is a surplus of 873 dwellings or 9.4%.

SQ7.23. Does the available evidence indicate that there is a reasonable prospect that a total of 10,143 dwellings will be built between 1 April 2023 and 31 March 2041 on land identified in the Plan?

M8. DM4 Sustainable homes and businesses

Policy DM4 "sustainable homes and businesses" was discussed at the hearing session on 5 June 2024.

The Council's responses to AP37 and AP38 were published on 20 June 2024 [EXAM39]. Representations about those responses from Bloor Homes and HBF were published on 18 July [EXAM47] and 1 August [EXAM48] respectively.

EXAM47 includes a High Court judgment dated 2 July 2024 relating to the Written Ministerial Statement about local energy efficiency standards published on 13 December 2023 ("the WMS")¹.

The Council's response to AP37 proposes a main modification to policy DM4 part 1(A) relating to the energy efficiency of new dwellings.

The Council's response to AP38 includes a note from Bioregional containing information about the cost assumptions associated with policy DM4 made in the viability assessment of the Plan.

¹ The King (on the application of) Rights Community Action Ltd (Claimant) and Secretary of State for Levelling Up, Housing and Communities [2024] EWHC 1693 (admin).

SQ8.8. Are the energy efficiency standards for different types of dwelling (expressed in terms of the SAP Fabric Energy Efficiency metric) in the proposed modification to the second bullet point of part 1(A) of policy DM4 consistent with the WMS? If not, are they otherwise justified?

SQ8.9. Does the High Court judgment dated 2 July 2024 relating to the WMS have implications for the soundness of other parts of policy DM4 that were not discussed at the hearing session on 5 June 2024?

SQ8.10. Does the information about the costs associated with meeting the requirements of policy DM4 provided in response to AP38 represent adequate, proportionate and up to date evidence for the purposes of the viability assessment of the Plan?

M10. RSA25 Long Copse Farm, Enborne

The evidence relating to the need for 24 plots for residential accommodation for travelling showpeople referred to in the reasoned justification to policy DM20, along with the proposed allocation RSA25 Long Copse Farm, were discussed at the hearing session on 11 June 2024.

On 18 June, information from a 2001 appeal decision [EXAM36] and a current planning application [EXAM37] relating to the Long Copse Farm site were published.

The Council's responses to AP59 and AP60 were published on 3 July 2024 [EXAM45]. These propose a main modification to the reasoned justification to policy DM20 (paragraph 11.34) aimed at clarifying why the proposal for 24 plots is justified at the Long Copse Farm site and confirm that the indicative map in the Plan relating to policy RSA25 is correct (but that the interactive policies map needs to be amended to correctly define the site).

SQ10.6. Does the information provided in response to AP59 and the proposed modification to the paragraph 11.34, along with the evidence discussed at the hearing session on 11 June 2024, provide adequate and proportionate justification for policy RSA25?

Any queries about this note should be raised with the Programme Officer.

William Fieldhouse

21 August 2024