

From: [REDACTED]
To: [REDACTED]
Subject: Response to proposed main modifications to West Berks LPR (on behalf of the North East Thatcham Partnership) [LICH-DMS.FID139055]
Date: 30 January 2025 11:31:24
Attachments: [REDACTED]

This is an **EXTERNAL EMAIL**. **STOP. THINK** before you **CLICK** links or **OPEN** attachments.

To Whom It May Concern,

Please find attached our responses to main modifications MM25 and MM26. I'd be grateful if you can confirm receipt.

Kind regards,

Pippa

Pippa Nisbet
Planning Director

[REDACTED]
Lichfields, The Minster Building, 21 Mincing Lane, London EC3R 7AG
[REDACTED]

[Lichfields.uk](https://www.lichfields.uk) 



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**West Berkshire Local Plan Review 2022-2039 (LPR)
 Consultation on Proposed Main Modifications
 (6 December 2024 – 31 January 2025)**

Representation Form


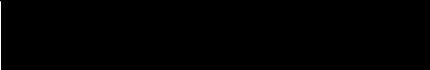
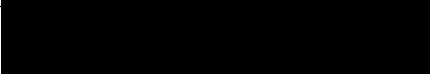
Ref:
 (For official use only)

Please complete and return this form:	By email: 
	By post: Planning Policy, Development and Housing, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	11:59pm on Friday 31 January 2025

Please read the **Guidance Note**, available on the Council's website <https://www.westberks.gov.uk/lpr-proposed-main-modifications>, before making your representations.

This form has two parts:
 PART A – Your details
 PART B – Your representation(s)

Please complete a new form for each representation you wish to make.

<u>PART A: Your details</u>		
<i>Please note the following:</i>		
<ul style="list-style-type: none"> <i>We cannot register your representation without your details.</i> <i>Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.</i> 		
	1. Your details	2. Agent's details (if applicable)
Title		Mrs
First Name*		Pippa
Last Name*		Nisbet
Job title <i>(where relevant)</i>		Planning Director
Organisation <i>(where relevant)</i>		Lichfields
Address* <i>Please include postcode</i>		The Minster Building, 21 Mincing Lane, London, EC3R 7AG
Email address*		
Telephone number		
Consultee ID <i>(if known)</i>		

*Mandatory Field

PART B – Your representation(s)

All comments made at previous stages of the LPR have been taken into account by the Inspector and there is no need to resubmit these. Publication of the proposed Main Modifications is a regulatory stage and any representations made should relate specifically to the legal compliance and soundness of the proposed Main Modifications and should not relate to parts of the Plan that are not proposed to be modified.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.

Your name or organisation (and client if you are an agent):	Pippa Nisbet (Lichfields) on behalf of “the North East Thatcham Partnership,” a partnership comprising A2Dominion, Catesby Estates, Donnington New Homes and Ptarmigan Land.
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Proposed Main Modifications and Proposed Changes to the Policies Map

1. Please indicate whether your representation relates to the Schedule of Proposed Main Modifications or the Schedule of Proposed Changes to the Policies Map and provide the modification/change number you are commenting on below:

Document name	Schedule of Proposed Main Modifications – November 2024
Modification/Change reference number (MM / PMC)	MM25 (Policy SP17)

2. Do you consider the Proposed Main Modification or Proposed Policy Map Change to be:
(please tick/mark ‘X’ one answer for a and one for b)

- a) **Legally compliant** Yes No
- b) **Sound** Yes No

Please refer to the guidance notes for a full explanation of ‘legally compliant’ and ‘soundness’

If you consider the Proposed Main Modification or Proposed Policy Map Change not to be sound, please identify which test of soundness your representation relates to:
(please tick/mark ‘X’ all that apply)

Positively Prepared: The LPR should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.	
Justified: the LPR should be the most appropriate strategy, when considered against the reasonable alternatives	x
Effective: the LPR should be deliverable	x
Consistent with national policy: the LPR should enable the delivery of sustainable development in accordance with the policies of the NPPF	

3. If you have answered ‘No’ to question 2a or 2b above, please provide details of why you consider the Proposed Main Modification or Proposed Policy Map Change is not legally compliant or is unsound, including any changes you consider necessary to make the Plan legally compliant or sound.

You will need to say why this change will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We support the clarification in the first paragraph of Policy SP17 which adds the underlined text: *“Proposals must demonstrate how the provision of all infrastructure, services, open space and facilities will meet the needs of the development.”* This is in line with the NPPF (2024), para 58.

Under the heading “Homes”, we support the increase in number of homes to “*approximately 2,500 dwellings*”. This will help significantly to ensure that West Berkshire will be able to meet its identified need, taking account of the extended Local Plan period to 2041. It will also ensure a greater overall positive impact on sustainability as identified through the SA/SEA.

Whilst there has clearly been a number of changes to update Policy SP17, there are a number of items within Policy SP17 which we consider require further clarification and changes to ensure they are sound. These are required to ensure the policy is justified and effective in what it sets out to achieve.

Under the heading “Homes”, the sentence refers to *“the final number of dwellings to be determined by the adopted Masterplan ... (SPD) required by this policy.”* In reality, across a 2,500 home scheme to be built out over a number of years, the actual ‘final’ number ought to be determined by the approved planning permission and reserved matters approvals which can take account of how to make most efficient use of land (required by NPPF) via detailed layouts ahead of which a ‘final’ number might be premature. It is therefore proposed that the word *“determined”* should be changed to *“informed”*.

Under the heading “Community”, bullet point two on healthcare provision states, *“Further detailed feasibility work should be carried out at the applicant’s expense in collaboration with BOB ICB.”* At this stage it is not yet clear whether further detailed feasibility work will be required. We therefore suggest the policy wording is amended to add the underlined text, *“If further detailed feasibility is required in addition to the BOB-ICB Feasibility Study, this should be carried out at the applicant’s expense in collaboration with BOB ICB.”*

Under the heading “Green Infrastructure” the third bullet point refers to *“indicative map fig.x”*. The correct figure reference must be added here to replace the “x.” It remains unclear what purpose is served by the map at Annex C of the Schedule of Main Modifications in the form that is presented, but if it is to be included it is important that any amendment to the text retains reference to this map as being indicative. This is because the precise nature/ extent of the GI band needs to be informed by the further technical studies which Policy SP17 mentions (LVIA and masterplanning) and the plan would not be clearly written and unambiguous if the extent of green infrastructure shown on the plan was capable of being interpreted by decision makers as defining what is required. This is because the Map now proposed shows a “Green Infrastructure Buffer” which is defined by contour lines and an interpretation of on-site constraints that is not consistent with the evidence base for the site, and uninformed by any of the further work required by policy SP17. We propose a modification to the cartographic

representation of the “Green Infrastructure Buffer” below, but if it remains in the form now proposed, the wording of the policy must ensure it is not capable of interpretation as setting the extent of built development in the way that is shown on the plan as this would contradict the SPD process that is also required by the Policy.

Under the heading “*Flooding and Water Environment*”, the first sentence should not be bullet pointed. The second sentence which commences “Adequate flood mitigation measures...” should be the first bullet pointed item. This part of the policy should therefore read,

“*Flooding and Water Environment*”

Development proposals for the site will be supported by a Flood Risk Assessment, in accordance with policy SP6, which will take into account the Thatcham Surface Water Management Plan and set out:

- *Adequate flood mitigation measures to ensure there is no detrimental impact on flood risk in Thatcham;*
- *Surface water drainage management approaches that could deliver net gain for Thatcham town, including use of on-site sustainable drainage systems (SuDS); and*
- *Flood alleviation measures already present on the site and how they will be retained, protected and enhanced.*

Development proposals also need to consider water resources and waste water in accordance with policy DM7.”

We support the deletion of the North East Thatcham map at Annex C. The deleted map was too prescriptive, defining provision of specific items e.g. car park and specific land parcels for the Country Park ahead of the masterplanning and other assessments required by the policy. As indicated above, we have concerns about the new map proposed for reasons given above and would suggest the cartographic presentation of the “*Indicative Green Infrastructure Buffer*” is presented differently to avoid any suggestion (e.g. to the community) that the southern extent would be expected to follow the line that is presented. For example, the use of a jagged ‘zig zag’, arrows extending down from the northern boundary of the site, or a ‘blob’ that does not suggest a specific line. Currently, the map risks making the Local Plan insufficiently clear and unambiguous because although labelled ‘indicative’ it might still be interpreted by the community as suggesting a specific line, and thus be inconsistent with the intention of Policy SP17 which is for the extent of development to be determined through further technical studies and masterplanning work. The new map also currently has no title and we suggest this should be labelled as “North East Thatcham Indicative map”.

The above suggested changes will ensure that Policy SP17 is justified and effective, being consistent with national policy.

Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

4. Do you have any comments on the updated Sustainability Appraisal/Strategic Environmental Assessment Report – Proposed Main Modifications (November 2024)?

(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Please note – Personal/Contact Details

All submitted representations will be made publicly available, including on the Council's website, with the person/organisation making the representation being identified. A copy of all submitted representations will also be made available to the Planning Inspectorate and the person appointed by the Secretary of State to conduct the examination.

To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the LPR. The Council therefore cannot accept anonymous representations – you must provide us with your name and contact details. Address details will not be made publicly available. All personal data will be handled in line with the Council's Privacy Policy on the Development Plan. You can view the Council's privacy notices at <http://info.westberks.gov.uk/privacynotices>.

The Council will also need to make sure that the names and full addresses of those making representations can be made available and taken into account by the Inspector. By submitting a representation, you confirm that you agree to this and accept responsibility for your comments. The Planning Inspectorate's privacy statement for local plan examinations is available at <https://www.gov.uk/guidance/local-plans#plans-privacy-statement>.



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	1. Your details	2. Agent’s details (if applicable)
Title		Mrs
First Name*		Pippa
Last Name*		Nisbet
Job title <i>(where relevant)</i>		Planning Director
Organisation <i>(where relevant)</i>		Lichfields
Address* <i>Please include postcode</i>		The Minster Building, 21 Mincing Lane, London, EC3R 7AG
Email address*		[Redacted]
Telephone number		[Redacted]
Consultee ID <i>(if known)</i>		[Redacted]

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Document name	Schedule of Proposed Main Modifications – November 2024
Modification/Change reference number (MM / PMC)	MM26 (Supporting text to policy SP17)

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(please tick/mark ‘X’ one answer for a and one for b)

- a) **Legally compliant** Yes No
- b) **Sound** Yes No

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In relation to MM26, clarification is required on all paragraph numbers after para 6.61. Each of these is currently listed as “x.xx”.

In the first x.xx para after 6.61 this also refers to “The site plan (figure x)” – the figure reference requires updating.

The third x.xx para after 6.61 notes the green infrastructure shown on the indicative map “*uses the 105m contour to the west and central portion of the site, with the 100m contour to the east.*” We have suggested changes to the map in our representations on the basis it is inappropriate to define a specific line on the plan, even if it is referred to as ‘indicative’. Similarly, we consider it overly prescriptive to cite specific contour lines within the accompanying text for the policy as the exact form of development, open spaces and other infrastructure is to be determined through the technical studies mentioned earlier within the policy and the SPD. Referring to specific contour figures whilst at the same time requiring further studies and the SPD creates an ambiguity and lack of clarity, particularly for the community, that the NPPF seeks to avoid.

We support the inclusion of the sixth x.xx para after 6.61 which states that, “*New education provision, including early years, primary and secondary provision will be required to support the needs of the development.*” By requesting this to “*meet the needs of the development*”, it will ensure compliance with para 58 of the NPPF.

In accordance with comments made on MM25, the seventh para x.xx after 6.61 should be amended in its last sentence to include the underlined, “*If a further feasibility study is required in addition to the BOB-ICB Feasibility Study, to identify other mitigation measures, this would need to be carried out at the applicant’s expense and any identified offsite mitigation measures will be funded by the applicant through developer contributions.*”

Finally, we support para 6.63 which states, “*It is the Council’s intention that the Masterplan SPD will be adopted within 12 months of adoption of the LPR*”. This timescale is important and will help to ensure timely delivery of infrastructure and housing at North East Thatcham.

Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

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