

West Berkshire District Council

Representations to the Hermitage Neighbourhood Development Plan Submission (August 2023)

1. Background to the Hermitage Neighbourhood Development Plan (NDP)

- 1.1. For a neighbourhood plan to be put to referendum, they must meet a set of tests that are set out within paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. The tests are known as the basic conditions, and those relevant to neighbourhood plans are as follows:
 - (a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
 - (d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
 - (e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - (f) the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
 - (g) prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 1.2. Hermitage Parish Council, as the qualifying body, applied for the designation of the Hermitage Neighbourhood Area. This was formally designated by West Berkshire District Council (WBDC) on 26 April 2019. The Neighbourhood Area covers the Parish of Hermitage.
- 1.3. Since the designation of the Neighbourhood Area, Hermitage Parish Council alongside its residents, have been working together to create a Neighbourhood Development Plan (NDP).
- 1.4. Following evidence gathering and preparing the plan, the pre-submission version of the Hermitage NDP was subject to a 6-week consultation between 24 October and 5 December 2022. Following this consultation, the feedback provided to the NDP Steering Group was reviewed and considered alongside feedback from statutory stakeholders. WBDC submitted representations to the consultation which aimed to provide advice as to where policies, sections or paragraphs within the NDP may be improved with a view to ensuring conformity with the Basic Conditions. For this consultation we have provided further advice on each of the policies and the plan in general. This is set out within Section 3 below.
- 1.5. Points (f) and (g) above relate to certain obligations which plans must adhere to, primarily in relation to habitats and environmental impacts. Some plans require a Strategic Environmental Assessment and/or a Habitat Regulations Assessment.
- 1.6. A screening opinion to determine if Strategic Environmental Assessment (SEA) and/or Habitat Regulations Assessment (HRA) was prepared by WBDC in November

2022. This was subject to a 5-week consultation with the three statutory bodies (Environment Agency, Historic England and Natural England) who concurred with WBDC that neither a SEA nor HRA were required.

2. WBDC's acceptance of the Hermitage NDP

- 2.1. Hermitage Parish Council submitted the NDP to West Berkshire District Council (WBDC) on 17 February 2023 and this was accompanied by the following documents:
 - Basic Conditions Statement
 - Consultation Statement
 - SEA/HRA Screening Report – Consultation Version (October 2022)
 - SEA/HRA Screening Report – Post-consultation Version (November 2022)
 - SEA/HRA Screening Decision (November 2022)
 - Hermitage Design Guidelines and Codes for Hermitage Parish Council
 - Hermitage Housing Needs Survey for Hermitage Parish Council (Arc4, 2021)
 - Guidelines for Ecological report Writing, 2nd Ed. (Chartered Institute of Ecology and Environmental Management, 2017)
 - West Berkshire Density Pattern Book for WBDC (David Lock Associates, 2019)
 - Non-statutory Technical Standards for Sustainable Drainage Systems (DEFRA, 2015)
 - Berkshire (including South Bucks) Strategic Housing Market Assessment for WBDC (GL Hearn, 2016).
 - Hermitage Green Spaces Audit (Hermitage Neighbourhood Plan Group, 2023)
 - Hermitage Footways, Bridleways and Byways (Hermitage Parish Council, 2014).
 - West Berkshire Council Housing Needs Assessment Update for WBDC (Iceni, 2022)
 - Guidance Note 1 for the Reduction of Obtrusive Light, GN01/21 (Institute of Lighting Professionals, 2021)
 - Biodiversity in new housing developments: creating wildlife-friendly communities, NF89 (NHBC, 2021)
 - Sustainable Drainage Systems Supplementary Planning Document (WBDC, 2018)
 - Homes for People and Wildlife (Wildlife Trusts, 2018)
- 2.2. The above documents are considered to adequately fulfil the submission requirements under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 and Schedule 4b of the Town and Country Planning Act 1990, as inserted into Schedule 10 of the Localism Act 2011.
- 2.3. WBDC are therefore satisfied that the qualifying body of Hermitage Parish Council had satisfied the relevant regulatory requirements to advance the Hermitage NDP to the publicity and consultation stage (Regulation 16) and subsequent submission of the NDP for independent examination.
- 2.4. In addition, WBDC is satisfied that the Hermitage NDP does not include any development which would be defined as 'excluded development' as prescribed by Schedule 9, Section 61k of the Localism Act.
- 2.5. At submission, WBDC undertook a Legal Compliance Check to determine if the submission requirements as set out in legislation have been met. The Legal Compliance Check, which is included within Appendix A.

3. WBDC's representations on the submission Hermitage NDP

- 3.1. At this 'draft plan' stage of the neighbourhood plan making process, the Local Planning Authority (LPA) is not required to consider whether the draft plan meets the basic conditions. It is only after the independent examination has taken place, and after the independent examiner's report has been received, that a LPA must come to a formal view on whether the draft neighbourhood plan meets the basic conditions.
- 3.2. The LPA should provide constructive comments on an emerging plan before it is submitted.
- 3.3. WBDC made representations as part of the consultation on the pre-submission (Regulation 14) version of the Hermitage NDP. To inform the response, the Planning Policy Team requested the following service areas review the NDP:
 - Archaeology
 - Development Management
 - Drainage and Flood Risk
 - Conservation & Design
 - Ecology
 - Environment Delivery
 - Environmental Health
 - Highways
 - Housing
 - Infrastructure
 - ITS and Sustainable Transport
 - Planning Policy
 - Transport Policy
- 3.4. Table 3.1 below shows WBDC's representations made in December 2022, and a further response to the submission consultation. The above mentioned services were also contacted for comments on the submission version of the NDP.
- 3.5. It should be noted that since the representations were made, there have been staff changes within the Planning Policy Team. Some additional matters have therefore been identified that were not previously identified within the Council's pre-submission representations.

Table 3: WBDC’s representations on the Hermitage NDP regulation 16 submission consultation

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
Front cover	<p><u>Comments from the Planning Policy Team:</u></p> <p>The front cover is clear and it sets a positive first impression of the document.</p>	No further comments
Contents page	<p><u>Comments from the Planning Policy Team:</u></p> <p>The contents page is clear however the policies could be listed in the contents page in the same way the subsections have been presented therefore making it easier to navigate the policies in the document.</p>	Change made. To further assist with navigation, it would be helpful if page numbers could be included against each policy listed.
Introduction		
Purpose of the Plan	<p><u>Comments from the Planning Policy Team:</u></p> <p>Clarification regarding paragraph 1.3: the plan is to be read as a whole. Policies should not be duplicated. This is however made clear later in the document in paragraph 3.4.</p>	No further comments.
	<p>What is meant by “actions” in paragraph 1.4? Are the actions not listed in the Non-Policy Actions in Table 9.1 at the end of the document? Make reference to this section if this is what you are referring to or be clear on what is meant by the terminology.</p>	Change made and no further comments.
Policy Context	<p><u>Comments from the Planning Policy Team:</u></p> <p>For information purposes, the Council is formally referred to as West Berkshire District Council therefore the abbreviation “WBDC” is appropriate.</p>	Change made and no further comments.
	None	<p>Paragraph 1.5 mentions the other documents that form part of the development plan which have relevance to Hermitage. Not included, but which has relevance is the Minerals and Waste Local Plan (2022-2037), which was adopted in December 2022. A modification should be made to paragraph 1.15 to include reference to this document.</p> <p>Paragraph 1.5 includes reference to the Core Strategy, Housing Site Allocations DPD, and the Saved Policies of the West Berkshire District Local Plan. These three documents together make up the current Local Plan,</p>

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		however this is not stated and should be. Such a modification will also provide context to paragraph 1.11. which states that the Local Plan is being reviewed.
	<p><u>Comments from the Planning Policy Team:</u></p> <p>Suggested amendment for consistency: to refer to the “Neighbourhood Plan area” as the designated “Neighbourhood Area” in Paragraph 1.8, as stated previously in paragraph 1.6.</p>	Change made and no further comments.
	<p><u>Comments from the Planning Policy Team:</u></p> <p>See comments on mapping at the end of this document.</p>	See comments below
	<p><u>Comments from the Planning Policy Team:</u></p> <p>Regarding paragraph 1.12, a revised timetable for the Local Plan Review (LPR), also known as the Local Development Scheme (LDS), was published at the end of October: https://www.westberks.gov.uk/lrs. The proposed submission version of the LPR was considered recently at a meeting of Council on 1 December 2022, and Members agreed that the plan can go out to consultation. As such the consultation will commence before the 6th January 2023 for a 6 week period. WBDC hope to submit the plan to the Secretary of State for independent examination in March 2023. Assuming the examination goes okay, WBDC anticipate adoption of the LPR in September 2024.</p> <p>Please see: https://www.westberks.gov.uk/local-plan-review.</p>	Change made and no further comments.
		<p>It would be helpful for a modification be made to paragraph 1.12 could include a modification t</p> <p>A modification should be made to paragraph 1.12 to specify that upon adoption of the Local Plan Review, the current Local Plan (Core Strategy, HSA DPD, Saved Policies) will be superseded</p>
Monitoring the Plan	<p><u>Comments from the Planning Policy Team:</u></p>	Change made and no further comments.

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	<p>Suggested amendment to wording in paragraph 1.13: Hermitage Parish Council as the qualifying body.</p> <p><u>Comments from the Planning Policy Team:</u></p> <p>Suggested clarification (amend accordingly): “The HPC Steering Group is a sub-group of Hermitage Parish Council. As per the Terms of Reference, the Parish Council, as the qualifying body, will be responsible for maintaining...”</p> <p>Regarding the above comment, do you have a Terms of Reference in place which states the role and responsibilities of the HPC SG and the Parish Council?</p>	<p>As steering groups are often disbanded following the making of a neighbourhood plan, it is accepted that the monitoring of the plan is best undertaken by the Parish Council. No further changes needed.</p>
Local context		
History of Hermitage	<p><u>Comments from the Archaeology Team:</u></p> <p>The history of the area could go back a bit further than the 13th century in that the Iron Age hillfort called Grimsbury Castle is an important monument on high ground overlooking two valleys, more or less in the middle of the current parish. It does get mentioned in a few other places in the NDP but the fact that it’s covered with trees probably means it’s well preserved earthworks aren’t easily understood (and have been vulnerable to some damage from recreational use e.g. mountain bikes). Its origins are older than 100BC as Early Iron Age pottery was found in the limited excavations there – so it was probably built between the 8th and 5th centuries BC. There are springs in the interior but there hasn’t yet been evidence found of buildings, so we don’t know how much of a settlement was there. However there is certainly a strong local Roman presence with villas found in the 19th century at both Wellhouse and Birch Farm as well as other features in Box Wood. One of the notable features of the parish is how wooded it is, and there is certainly scope for more archaeological investigation, both through development and community/academic work. For example, the two earthwork enclosures on Oare Common might be Iron Age or medieval but have received very little attention.</p>	<p>Change made. No further comments received from the Archaeology Team.</p>
Hermitage today	<p><u>Comments from the Planning Policy Team:</u></p> <p>Note regarding the statement in paragraph 2.15, the 2021 Census is now available: https://census.gov.uk</p>	<p>It is noted that only limited data is available at Output Area level, so continued reference to the 2011 in the para (now para 2.17 and 2.18) is therefore necessary. No further changes needed.</p>
Challenges for Hermitage	<p>No comments.</p>	<p>No further comments to make</p>

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Vision for Hermitage	No comments.	<p>Comments from the Environmental Health Team:</p> <p>One objective is to minimise environmental impact. There is no mention of the promotion of future development on brownfield land nor the promotion of electric vehicle charging provisions</p>
Neighbourhood Plan Objectives	<p><u>Comments from the Planning Policy Team:</u></p> <p>General comment: Do a consistency check against the objectives and policies in the NDP – are they clearly aligned?</p>	Several objectives have been amended to ensure consistency. No further changes needed.
Matters not covered by NP policies	<p><u>Comments from the Planning Policy Team:</u></p> <p>Paragraphs 3.4 to 3.6: give clarity as to why some matters are not covered by a NP.</p> <p>Note: paragraph 30 in the NPPF states, “Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently”.</p>	Paragraphs amended to provide clarity. No further changes needed.
Housing		
	<p><u>Comments from the Planning Policy Team:</u></p> <p>The updated LPR housing evidence is now available: https://www.westberks.gov.uk/local-plan-evidence#housing</p>	No further comments
Policy HER1: Addressing Hermitage’s Housing Needs	<p><u>No comments received from the Housing Team.</u></p> <p><u>Comments from the Planning Policy Team:</u></p> <p>In addition to the Berkshire Strategic Housing Market Assessment (SHMA) 2016, Policy HER1 should also consider the updated Icen Local Housing Need (LHN) assessments 2020 and July 2022, particularly as relating to housing type and mix. Additionally the Government has a new policy on First Homes. It requires the first 25% of all affordable housing provision to be for First Homes suitable for first-time buyers.</p>	<p>No further comments received from the Housing Team.</p> <p>Changes made.</p>

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	WBDC is expecting to undertake consultation on the publication version of the Local Plan (Regulation 19) in the New Year. It will contain strategic and non-strategic policies dealing with housing supply, provision and need. The proposed housing policies in the NP should therefore aim to align with the strategic policies of the emerging LPR.	
Policy HER2: Design	<u>Comments from the Transport Policy Team:</u> Criterion B 1. <i>“Development should integrate with and enhance the form of its existing surroundings, with all connections including road patterns ensuring permeability for cyclists and pedestrians.”</i> It is expected that new residential development will need to take into account the Council’s emerging “Highway Design Guidance for Residential Development”. This will include details relating to ensuring that pedestrian and cycling permeability is achieved.	No further comments received from the Transport Policy Team.
	<u>Comments from the Transport Policy Team:</u> Criterion B 6. Car parking for new residential developments will be expected to be compliant with WBDCs Residential Parking Standards outlined in Policy P1 in the Housing Sites Allocations DPD. Cycle parking for new development will be expected to comply with standards outlined in the Council’s “Cycle and Motorcycle Advice and Standards for New Development Guidance Note”.	No further comments received from the Transport Policy Team.
	<u>Comments from the Highways Team:</u> “The Plan looks good”.	No further comments from the Highways Team
	<u>Comments from the Conservation Team:</u> No comments to make on Policy HER2, as this seems to be well thought through. The Design Code is a thorough piece of work and provides a good analysis of the local character.	No further comments from the Conservation Team
	<u>Comments from the Planning Policy Team:</u> Criterion B2: Rather than specifying that development densities should not exceed 25 dwellings per hectare (criterion 2), the policy should instead outline that developments should be in accordance with the WBDC Pattern Book Study, which is a researched document, and is flexible across different development sites throughout the District. This element of the policy may conflict with the LPR, particularly the site allocations (if the SG were to exceed 25 dph, or even 20dph as the newly allocated site is on the rural edge).	Changes made.

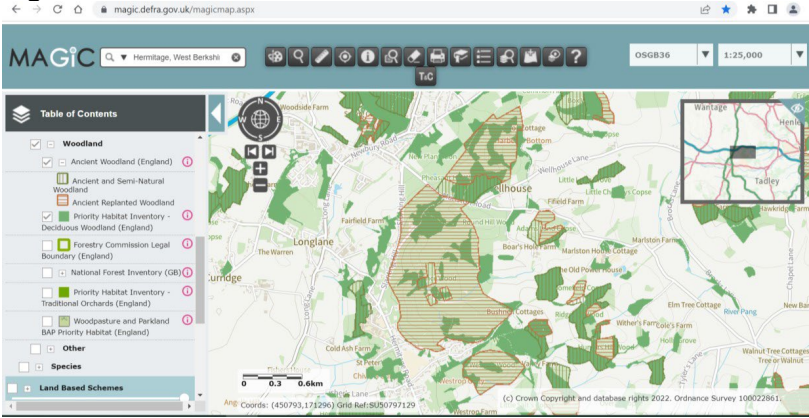
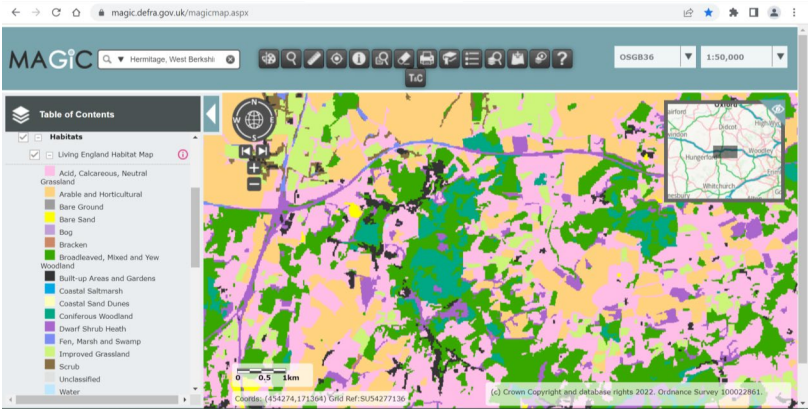
Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p><u>Comments from the Planning Policy Team:</u></p> <p>Criterion B4: Rather than specifying that buildings shall not be greater than 2 storey's in height, it would be better to say that the design, scale, bulk and massing should respond to the prevailing character of the local area. However, the NDP does state that taller buildings may be permitted where they complement or enhance the local character.</p> <p>Both could lead to confusion at decision taking, as to which policy/documents take precedent – the NDP or the LPR.</p>	<p>The Consultation Statement comments on page 35 that the policy and supporting text have been amended to reflect this comment, however it does not appear that any changes have been made within the submission version of the NDP.</p> <p>Regarding the comment about precedence, Planning Practice Guidance Paragraph: 084 Reference ID: 41-084-20190509) states that <i>"...policies in a neighbourhood plan may become out of date, for example if they conflict with policies in a local plan covering the neighbourhood area that is adopted after the making of the neighbourhood plan. In such cases, the more recent plan policy takes precedence."</i></p>
Policy HER3: Countryside Views Between Properties	<p><u>Additional comments from the Planning Policy Team:</u></p> <p>The Policy sets a very low density in part B; what is the evidence for this? Is it not an efficient use of land? The aforementioned Pattern Book Study is a starting point, but there are some very good much higher density developments already in the village, and if you encourage more low density expensive housing you just encourage greater encroachment of development into the AONB, causing more harm to the AONB and not delivering much housing.</p>	<p>Criterion B2 has been amended to refer to the WBDC Pattern Book Study and does not specify a particular density. No further changes needed.</p>
Sustainable Design and Environment		
Sustainable design	<p><u>Comments from the Environment Delivery Team:</u></p> <p>Suggested amendments to Para 6.2:</p> <p>"In terms of the UK's change to housing stock of housing, this means that new homes will have to be designed to minimise energy use by adopting a fabric first approach and</p>	<p>Changes made. No further comments received from the Environment Delivery Team</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>following the Energy Hierarchy to develop net zero carbon design and create very low net carbon emissions through their design. This will include minimising heating and heat loss through effective insulation, having low water demand, and being fitted with or directly connected to renewable energy systems (Move/amend this sentence: 'installation or connection to a renewable energy systems, reducing water demand'). In this context, the orientation of buildings can be important in order to make best use of available sunlight”.</p> <p>Suggested amendments to Para 6.3:</p> <p>“With the UK Britain no longer part of the European Union, the EU's Energy Performance of Buildings Directive - which required all new buildings to be nearly zero-energy by the end of 2020 - will not apply. The UK's equivalent – the Code for Sustainable Homes – was withdrawn by the Government in 2015 and this has been replaced by new national technical standards, which include optional Building Regulations standards regarding water and access as well as a new national space standard (this is in addition to the existing mandatory Building Regulations)”.</p> <p>At a national and local level, net zero carbon target within developments are being addressed through the National Planning Policy Framework (NPPF), Building Regulations, the Future Homes Standard and the West Berkshire Local Plan.</p>	
<p>Policy HER4: Low Energy and Energy Efficient Design</p>	<p><u>Comments from the Planning Policy Team:</u></p> <p>In respect of criteria d of policy HER4 (Low Energy and Energy Efficient design):</p> <p>Policy CS16 of the Core Strategy has regard to flood risk, and the policy requires that on all development sites surface water must be managed in a sustainable manner through the implementation of Sustainable Drainage Systems (SuDS). There is no need for neighbourhood plans to repeat Local Plan policies particularly as the development plan must be read as a whole.</p> <p>Nonetheless, if the Parish Council is minded to include the criteria on SuDS, it is recommended that the policy wording is strengthened and that some additional changes are made to provide clarity:</p> <p>“All development shall must minimise surface water runoff to prevent off-site surface water flooding through the design of a implementation of sustainable drainage systems (SuDS), and where possible incorporate mitigation and resilience measures for any increase in surface water flood risk that may occur due to climate change”.</p>	<p>Changes made. No further changes required.</p>

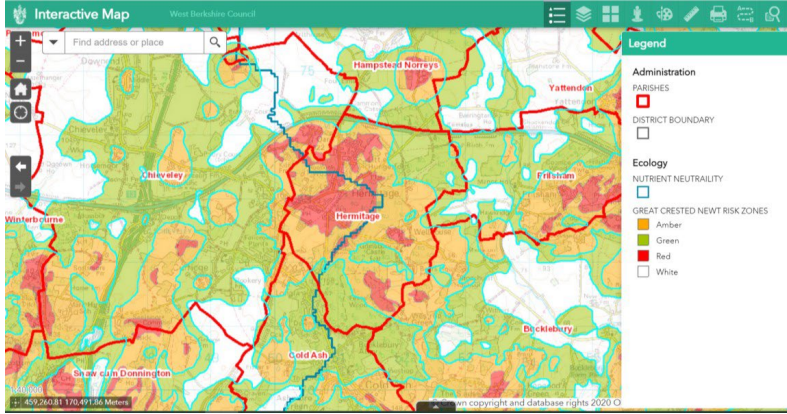
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	<p>WBDC adopted in 2018 a Sustainable Drainage Systems Supplementary Planning Document (https://www.westberks.gov.uk/sudsspd) which provides guidance on the approach that should be taken to SuDS in new developments in West Berkshire, and there should be a cross reference to this document in the policy.</p> <p>The Planning Practice Guidance (PPG) on flood risk was updated in August 2022, and this includes sections on SuDS – see paragraph 056 (ref ID: 7-056-20220825). This paragraph identifies that preference should be given to multi-functional SuDS, and this should be reflected in the policy.</p> <p>The supporting text to the policy needs explain why the policy has a criteria on SuDS, and it would be helpful if there could be further clarification around the ‘mitigation and resilience measures’ that are mentioned in the policy – perhaps some examples could be provided? The PPG on flood risk does include some paragraphs on flood resistance and flood resilience.</p> <p><u>Comments from the Drainage and Flood Risk Team:</u></p> <p>The only element of flood risk and drainage in this section:</p> <p style="padding-left: 40px;">d) all development shall minimise surface water runoff to prevent off-site flooding through the design of a suitable sustainable drainage system (SuDS), and where possible incorporate mitigation and resilience measures for any increases in flood risk that may occur due to climate change.</p> <p>This is a non-specific requirement and is therefore not worth including without reference to specific means of restricting discharge or to different types of flood risk. SuDS should be plural here.</p> <ol style="list-style-type: none"> 1. When discussing discharge rates the following applies: <ol style="list-style-type: none"> a. All developments should attempt to restrict runoff to the 1 in 1 year greenfield discharge rate up to the 1 in 100 year event plus climate change. b. Failing the above, the applicant should review whether long term storage can be provided. In this instance the greenfield discharge rate 	

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	<p>would still be used, but the rate would match the return period of the design storm up to the 1 in 100 year event plus climate change.</p> <ul style="list-style-type: none"> c. On brownfield sites only where there is no space for storage, if the above measures cannot be implemented then a 50% betterment on the 1 in 1 year existing discharge rate might be considered acceptable depending on the circumstances. d. Further guidance here: Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems (publishing.service.gov.uk) and here: https://www.susdrain.org/files/resources/other-guidance/lasoo_non_statutory_suds_technical_standards_guidance_2016_.pdf <p>2. With respect to flooding due to climate change, where a property is subject to flood risk:</p> <ul style="list-style-type: none"> a. Typically a flood risk assessment will be required to demonstrate that the development is safe over its lifetime, that it does not increase flood risk and that safe access/egress can be provided on site. Further guidance here: Flood risk assessments if you're applying for planning permission - GOV.UK (www.gov.uk) and Preparing a flood risk assessment: standing advice - GOV.UK (www.gov.uk) b. Where the above is not possible applications will be refused. <p>3. In terms of implementing SUDS, it's important to note that they shouldn't be an afterthought. SuDS should be designed during the concept phase even for small scale developments and worked into the landscape.</p> <ul style="list-style-type: none"> a. West Berkshire SPD has further advice: Sustainable Drainage Systems (SuDS) Supplementary Planning Document (SPD) - West Berkshire Council b. The SuDS Manual from CIRIA pretty much covers every elements of SuDS design: SuDS Manual (susdrain.org) c. The SuDS construction guidelines from CIRIA also has useful information: Item Detail (ciria.org) <p><u>Comments from the Environment Delivery Team:</u></p>	

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	The updated energy and carbon policy within the LPR and supporting SPD (which is to be drafted) will cover specific detail on achieving net zero carbon within developments.	
Wildlife-friendly design		
	<p>Comments from the Ecology Team:</p> <p>Legally Protected Sites There are no Sites of Special Scientific Interest (SSSI) notified under the Wildlife and Countryside Act, 1981 (as amended) within the Parish of Hermitage and no Special Areas of Conservation (SAC's) or Special Protection Areas (SPA's) designated under the Conservation of Habitats and Species Regulations, 2017 (as amended) or any Ramsar Sites (wetland sites designated as Wetlands of International Importance under the Ramsar Convention). There are no National Nature Reserves or Local Natures Reserves designated under the National Parks and Access to the Countryside Act, 1949 within the Parish.</p> <p>However, part of the western Parish lies within the Nutrient Impact Zone (NIZ) of the River Lambourn SAC and within which all new residential development and certain types of other development that may lead to an increase in phosphorous loads, are subject to the requirement to demonstrate nutrient neutrality as advised by Natural England.</p> <p>WBDC as a competent authority under the Habitats Regulations is required to consider whether plans or projects within the NIZ are likely to have a significant effect on the River Lambourn SAC and if so, to undertake an Appropriate Assessment of any such plans or projects. This includes plans or projects which would normally be considered as permitted development under the General Permitted Development Order.</p> <p>Most of the Parish lies within a Nitrate Vulnerable Zone (NVZ). It is also within a water Source Protection Zone although this is a non-statutory designation.</p> <p>Priority Habitats The main habitats that occupy a significant proportion of the land surface of the Parish are broadleaved mixed and yew woodland and coniferous woodland (please see Figure 1 below). Much of this is plantation woodland on ancient woodland sites (PAWS) with significant remnants of ancient woodland in the north west (near Oare) and centrally (near Wellhouse) see Figure 2. The Priority Habitat Lowland Deciduous</p>	<p>The comments originally provided by the Ecology Team provide background information. No further comments received from the Ecology Team.</p>

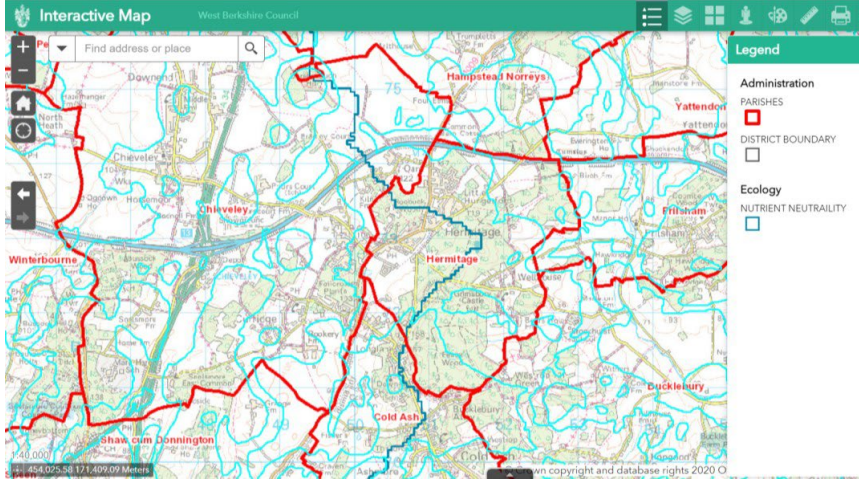
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	<p>Woodland is widespread both within and outside of these ancient woodland sites. There are no other Priority Habitats within the Parish.</p> <p>Figure1 - Broad Habitats within the Parish</p>  <p>Figure 2 – Priority Habitats within the Parish</p>  <p>Under Section 40 of the Natural Environment and Rural Communities Act, 2006, all public bodies (Including Parish Councils) have a duty to conserve biodiversity. This</p>	

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	<p>duty includes "... in relation to a living organism or type of habitat, restoring or enhancing a population or habitat". Section 41 sets out the lists of priority habitats and priority species to which this duty especially applies.</p> <p>There are a number of Local Wildlife Sites within the Parish including land at Furze Hill which is owned and managed by the Parish Council and which is a Lowland Deciduous Woodland Priority Habitat.</p> <p>Legally Protected Species There are a number of records confirming the presence of legally protected species within the Parish. These species are fully protected by law under the Wildlife and Countryside Act, 1981 (as amended) and under Regulation 43 of the Conservation of Habitats and Species Regulations, 2017 (as amended). There are records of three approved applications for licences to affect protected mammal species within the Parish. These are as follows:</p> <p>Hazel Dormouse – Case reference of granted application 2019-39430-EPS-MIT Licence Start Date 29/03/2019 Licence End Date 31/12/2022</p> <p>Bats – Case reference of granted application 2016-24643-EPS-MIT Species on the licence Brown long-eared (BLE), common pipistrelle (C-PIP) and soprano pipistrelle (S-PIP) Licence Start Date 03/08/2016 Licence End Date 02/08/2026 Case reference of granted application 2014-4812-EPS-MIT Species on the licence brown long-eared (BLE) and common pipistrelle (C-PIP) Licence Start Date 24/03/2015 Licence End Date 31/03/2020</p> <p>There is also survey data records for two waterbodies within the Parish that have confirmed great crested newt populations:</p> <p>Great crested newt –</p> <table border="1" data-bbox="427 1364 1093 1396"> <thead> <tr> <th>Survey Date</th> <th>OS Grid Ref</th> <th>GCN Present?</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Survey Date	OS Grid Ref	GCN Present?				
Survey Date	OS Grid Ref	GCN Present?						

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	<p>21/04/2016 SU504729 Y</p> <p>03/05/2016 SU504729 Y</p> <p>16/05/2016 SU504729 Y</p> <p>11/05/2016 SU505729 Y</p> <p>07/06/2016 SU505729 Y</p> <p>Some 25% of the Parish is assessed as being within the highest Red Risk Zone for GCN, 50% within the Amber Risk Zone and 25% within the lowest Green Risk Zone (please see Figure 3).</p> <p>Figure 3 – GCN Risk Zones within the Parish</p>  <p>Therefore, whilst there are no legally protected biodiversity sites within the Parish, large areas of the Parish are covered by priority habitats and support legally protected species. These all place constraints on new development. Development proposals that may result in the killing or injury or disturbance of such species or which may result in the loss of breeding sites and resting places or other supporting habitat, will need to be subject to careful assessment and may require licences from Natural England under Regulation 55 of the Conservation of Habitats and Species Regulations, 2017 (as amended).</p>	

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
<p>Policy HER5: Wildlife-Friendly Development</p>	<p><u>Comments from the Ecology Team:</u></p> <p>We would suggest that this policy should be titled Development and Biodiversity and have as its key objective conserving, restoring, and enhancing biodiversity in line with the strengthened duty to conserve biodiversity in the new Environment Act, 2021:</p> <p style="padding-left: 40px;">The Environment Act passed into legislation in November 2021. It will require significant additional protections for the natural environment including, air, water and soil quality and biodiversity. The mandatory requirement for Biodiversity Net Gain (BNG) is intended to come into force in November 2023 from which time all planning applications for new development will need to demonstrate a minimum 10% net gain in biodiversity. The Act also requires the preparation of Local Nature Recovery Strategies for all English Counties to be prepared by County Councils and Unitary Authorities.</p> <p>Reference should be made to the relevant current Local Plan Policies for West Berkshire including Policies CS17 and CS18 of the Core Strategy: https://www.westberks.gov.uk/media/36371/Core-Strategy-CS17-Biodiversity-and-Geodiversity/pdf/Core_Strategy_-_Biodiversity_and_Geodiversity.pdf?m=637408701786400000.</p> <p>https://www.westberks.gov.uk/media/36372/Core-Strategy-CS18-Green-Infrastructure/pdf/Core_Strategy_-_Green_Infrastructure.pdf?m=637408701874570000.</p> <p>It should be noted that the mandatory requirement for BNG does not come into effect until November 2023.</p> <p>Examples of good practice could be referenced for example using Sustainable Drainage Systems (SuDS) to create new ponds and wetland habitats both to improve water quality and provide new wildlife habitats. In this context we would advise moving the reference to SuDS from HER4 B(d) to HER 5 where it seems more relevant.</p> <p>HER5 should also reference the opportunities for helping to deliver carbon neutrality and incorporating climate change resilience e.g. by planting trees.</p>	<p>The NDP objective has been amended. No further comments from the Ecology Team.</p> <p>Title of the policy has not been amended .</p> <p>No further comments from the Ecology Team. As specified on page 44 of the Consultation Statement, the development plan should be read as a whole. Modifications are therefore not required.</p> <p>No changes made and no further comments from the Ecology Team.</p> <p>No changes made and no further comments from the Ecology Team.</p> <p>Changes made. No further comments from the Ecology Team.</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>Good practice guidance could be referenced e.g. https://www.nhbcfoundation.org/publication/biodiversity-in-new-housing-developments-creating-wildlife-friendly-communities/ and https://www.wildlifetrusts.org/sites/default/files/2018-05/homes_for_people_and_wildlife_lr_-_spreads.pdf.</p> <p>The policy should also acknowledge the location of the Parish within the North Wessex Downs AONB, which in connection with the large extent of woodland and local bat records means that light pollution should be minimised so as to avoid disturbance to foraging and commuting bats and to maintain dark skies. More detailed information can be found at: https://www.gov.uk/guidance/light-pollution.</p>	<p>Changes made. No further comments from the Ecology Team.</p> <p>Changes made. No further comments from the Ecology Team.</p>
<p>Policy HER6: Irreplaceable Habitats and Local Wildlife-Rich Habitats</p>	<p><u>Comments from the Ecology Team:</u> We would suggest this policy should be incorporated into HER5 as there are significant overlaps between the two policies.</p> <p>Reference should be made to the need for all planning applications for new development to be accompanied by appropriate ecological surveys and measures that seek to protect the most important biodiversity features such as those shown in Figure 6.1. Guidance on the appropriate types of ecological surveys and reports and the content and standards for such reports can be found at: https://cieem.net/resource/guidelines-for-ecological-report-writing/.</p> <p>The policy must also reference the Natural England advice on the requirement for new development within the catchment of the River Lambourn SAC to be nutrient neutral. Figure 4 below shows the extent of the Parish that is within the catchment and where the nutrient neutrality requirement applies.</p>	<p>No changes made. No further comments from the Ecology Team.</p> <p>Changes made. No further comments from the Ecology Team.</p> <p>No changes made. No further comments from the Ecology Team.</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>Figure 4 – Catchment of the River Lambourn SAC (blue line)</p>  <p>Policy HER6 as currently titled refers only to important habitats. In this context, the policy also needs to make reference to the requirements for legally protected and priority species neither of which are currently mentioned.</p> <p>The Parish Council may wish to consider seeking the designation of Furze Hill Local Wildlife Site as a Statutory Local Nature Reserve. Local Nature Reserves (LNRs) are a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities. Parish and Town Councils can also declare LNRs but they must have the powers to do so delegated to them by a principal local authority i.e. West Berkshire Council in this case. LNRs are for people and wildlife. They are places with wildlife or geological features that are of special interest locally. More information can be found at: https://www.data.gov.uk/dataset/acdf4a9e-a115-41fb-bbe9-603c819aa7f7/local-nature-reserves-england.</p> <p>We would of course be happy to provide further advice and support to Hermitage Parish Council in refining its Neighbourhood Plan.</p> <p><u>Comments from the Archaeology Team:</u></p>	<p>Changes made. No further comments from the Ecology Team.</p> <p>Changes made and included as non-policy action. No further comments from the Ecology Team.</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>Section 6 Sustainable Design and Environment and Policy HER6 could also be beneficial for the historic environment, planted and managed flora being part of the definition of this. There is a big overlap between Local Wildlife Sites and areas of high sensitivity assessed through Historic Landscape Characterisation. Retaining habitats for wildlife may also prevent damage or destruction to underlying archaeological sites. This could also be the case for the Local Green Spaces, although I cannot find much historic background to the ones identified in Policy HER7, most being of 20th century or later date.</p>	<p>No further comments from the Archaeology Team.</p>
<p>Policy HER7: Local Green Spaces</p>	<p><u>Comments from the Planning Policy Team:</u> A neighbourhood plan's capacity to designate land as Local Green Space (LGS) provides the highest level of protection to green space. There are strict criteria set out in paragraphs 101 and 102 of the NPPF, which effectively allows communities to identify and protect valued green areas. One of the criteria is that the green space must be demonstrably special to a local community and hold a particular significance. It gives examples of such significance e.g. for its beauty, historic significance, recreational value, tranquillity or the richness of its wildlife. The WBC Landscape Character Assessment could be used to inform matters such as tranquillity. Regard should be given to the NPPG on Local Green Space, in particular the NPPG states that <i>'the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space'</i>. It is noted in paragraph 2.31, the NDP states that the LGS is owned by HPC however for information purposes the owners should be contacted if any LGS falls in private ownership. The HPC Steering Group will need to be able to show the Examiner that this has been done and should be evidenced. The Group may find that they want to expand some of the evidence in the appendices to clearly show that the proposed LGS meets the NPPF criteria. It may be useful to look at some made NDP's to see what type of information was included.</p> <p>Locality guidance suggests using a LGS assessment tool which should provide the name of the space, the address, and the grid reference. See page 19: https://neighbourhoodplanning.org/toolkits-and-guidance/making-local-green-space-designations-neighbourhood-plan/.</p> <p>Also see page 21 for policy themes and guidance on what a policy specific to LGS could include.</p>	<p>No further comments or changes required. It is noted that the Local Green Spaces are within the ownership of Hermitage Parish Council.</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>Which objective(s) in the draft NDP does HER7 meet? See Box 1 on page 6 of the Locality guidance on top tips for writing planning policies:</p> <p>https://neighbourhoodplanning.org/wp-content/uploads/How-to-write-planning-policies-for-your-Neighbourhood-Plan-2021.10.08.pdf</p> <p>Policy HER7 is explicit in designating LGS. The policy text provides a list of the sites (locations) being designated, supplemented by a map(s) of the LGS. This is done as a LGS location plan which identifies the following areas:</p> <ol style="list-style-type: none"> 1. <i>Dines Way Green</i> 2. <i>Hermitage Green Play Area</i> 3. <i>Lipscomb Close Green</i> 4. <i>Pinewood Playground</i> 5. <i>Furze Hill Recreation Ground</i> 6. <i>Furze Hill Local Wildlife Site</i> 	
Section 7. Heritage	<p><u>Comments from the Archaeology Team:</u></p> <p>This document is impressive, it's really well-thought out, and clear. The NDP has actually woven heritage through several sections, as the character of the parish's historic environment is clearly important to the community. Should section 7 be named Historic Environment to better tie in with NPPF?</p> <p>Might it still be useful for the nationally designated heritage assets to be put into a table here, if only to show how few there are!? I.e. there is only one Scheduled Monument and seven Listed Buildings (six of which are clustered at Wellhouse Farm, though rather poorly identified in the original listing e.g. the Dairy was more likely a Stable and their dating has been more clearly unpicked in survey work when they were converted). There are no Registered Battlefields or Parks and Gardens (and little likelihood of these being added) but also no Conservation Areas.</p>	<p>Changes made. No further comments from the Archaeology Team.</p> <p>No changes made. No further comments from the Archaeology Team.</p>
Policy HER8: Non-Designated Heritage Assets	<p><u>Comments from the Conservation Team:</u></p>	

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>In the section listing the non-designated heritage assets it would be useful if reference were made to how they meet the local listing criteria set out in the Local Listing Process https://www.westberks.gov.uk/article/41022/Local-List-of-Heritage-Assets.</p> <p>There are no further comments to make on Policy HER8 which appears to align with the NPPF.</p> <p><i>Comments from the Archaeology Team:</i></p> <p>The group have done excellent work looking at buildings of heritage interest, presented as a list in Policy HER8. It might be helpful if the criteria for our local list was applied to these, as I presume this would strengthen the policy? Some have interesting links to the former brick making industry, eg Pinewood Cottage, and Long Barn (which we didn't know about). I have no objection to the ones identified being included as NDHAs (possibly not the metal road sign?), but do feel that there are some notable omissions:</p> <p>Within the village, The Old Vicarage is an early 19th century building noted by Betjeman in the 1940s as "the pretty little vicarage in a late Georgian Perpendicular style". It appears to be contemporary with the church. I thought the carved lychgate of the church was of note when I walked round the village. Both The Old Vicarage and nearby Crossways House in Marlston Road were mentioned in the Hermitage VDS.</p> <p>Another very attractive building probably of similar age is the folly or lodge called Grimsbury Castle Tower. This does not lie within a scheduled area of the hillfort. The former pub called the Fox and Hounds Cottages and the Forester's Cottage at Wellhouse might be considered, as well as perhaps some other farm buildings eg at Boars Hole Farm which was developed as a model farm. We'd be happy to provide more information from the HER to justify these suggestions.</p> <p>A brief mention is made in 7.1 of the Historic Environment Character Area (HECA) that Hermitage falls in – this is one of the projects that Archaeology has undertaken in the past https://www.westberks.gov.uk/historicenvironmentprojects. It can be used to better understand the evolution of the district but also be more specific about actions. Within this larger HECA are 3 Historic Environment Character Zones (See our online map https://gis2.westberks.gov.uk/webapps/OnlineMap/?vln=HISTORIC%20ENVIRONMEN T%20CHARACTER%20ZONES&x=451534&y=172813&scale=8) with bullet points for Conservation Issues and Research Priorities.</p>	<p>Changes made. No further comments from the Conservation Team.</p> <p>No changes made. The Archaeology Team have not provided any further comments.</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>These might be of interest to add in under Section 9 if not in policies, e.g. for HECZ PPC Plantation Parliamentary Commons (westberks.gov.uk), issues include: Management of woodlands, conservation of surviving ancient woodlands and replacement of plantations with more mixed tree coverage.</p> <p>CHCAS Curridge Hermitage ColdAsh (westberks.gov.uk): Historic building stock is poorly understood and little protection is currently afforded to this resource.</p> <p>What are the earthwork features on Oare Common? What period do they represent and what type of site is present here?</p> <p>PASS Plantation Assarts (westberks.gov.uk): Use of Grimsbury Castle by cyclists and off-road motorcycles.</p> <p><u>Comments from the Planning Policy Team:</u></p> <p>The local listing process is separate to the Local Plan and Neighbourhood Plan process. Therefore sites identified within the plan as non-designated heritage assets won't automatically be locally listed: https://www.westberks.gov.uk/locallist. If the Parish Council wanted the non-designated heritage assets to be selected for the Local List then they would need to nominate them and it would be for the West Berkshire Heritage Forum to consider whether they should be included at a Selection Panel meeting.</p>	<p>No changes made. Planning Practice Guidance (Paragraph: 040 Reference ID: 18a-040-20190723) states that non-designated heritage assets can be identified through the neighbourhood plan-making processes. No further changes required.</p>
Movement		
<p>Policy HER9: Access for Walking and Cycling</p>	<p><u>Comments from the Transport Policy Team:</u></p> <p>Criterion C: Proposals to extend the Eling Way walking and cycling route are supported, both south towards Newbury and north towards Compton. The Eling Way is recognised as an important leisure active travel and potential commuter cycling route, particularly in terms of a southern extension of the route from Hermitage towards Newbury, which is recognised in WBC's Local Walking & Cycling Infrastructure Plan. WBC would be supportive of initiatives to develop and deliver extensions of the Eling Way route both to the north and south of Hermitage, and would be willing to work with local communities and cycle groups to help develop any proposals. This may need to include the development of a route through Hermitage village to link the existing Eling Way scheme near to the village hall with any southern extension towards Newbury.</p>	<p><u>Comments from the ITS and Sustainable Travel Team:</u></p> <p>We welcome the active engagement to date of Hermitage's NDP team and the wider Parish Council for the planned Phase 1 extension of Eling Way within the village (tying-in with the new developments referenced in 2.50), and also their input and advocacy in support of proposed future extensions of this route southwards toward Newbury, and potentially north of Hampstead</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
		<p>Norreys to Compton and eventually Upton and Didcot, as reflected in 8.5. We would welcome their support as appropriate in further engagement moving forwards with landowners and with neighbouring Parishes including Chieveley (as the Hermitage-Curridge section will likely run within Chieveley Parish).</p> <p>Acknowledge the public support received via consultation on extension of Eling Way. Highlight the challenges involved in developing a route toward Curridge; as 2.31 notes, Priors Court Road is heavily-trafficked and the verge alongside B4009 is largely in private ownership, so mitigation measures and/or land acquisition will be needed depending on the route selected. Initial assessment of options has commenced.</p> <p>Agree with focus on protecting and enhancing the PROW network. We draw the NDP team's attention to the Rights of Way Improvement Plan and the need to tie in with that document, which has been subject to recent consultation. Potential to improve signing on the Highway side to existing and new Public Rights of Way. Make reference to the plan to translate Hermitage Footpath 16 to a multi-user path, to form part of the Eling Way.</p> <p>8.6 – note the Parish's intention to lobby on traffic, Highway and public transport. Note that bus 6 is wholly subsidised by WBC (2.47 seems to suggest it is operated commercially by the bus company when that's not the</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
		<p>case). Encourage them to respond to the current Bus Survey 2023 on the WBDC website.</p> <p>Make reference to the substantial costs associated with public transport enhancements; needs to be clear definition on how any enhancements are to be funded and sustained.</p> <p>We are open to discussing sites for cycle parking, on the basis of capital provision of new or additional cycle stands or similar facilities at publicly-accessible community hubs e.g. Hermitage Village Hall or near to the Primary School, the Garden Centre currently undergoing expansion, or Yarnfest subject to feasibility assessment, if the Parish or other local party is responsible for and maintains those facilities thereafter. Noted supportive comments on provision of cycle parking from residents responding to the consultation.</p> <p>Encourage the NDP to consider including within the finalised, adopted document provision of public infrastructure to support electric vehicle use.</p> <p>Advocate provision not only of sufficient space but also incoming electricity feeds to feeder pillars that will be capable of supporting rapid EV charging points in car parks such as by the village hall and other public car parks within the Parish, and ensuring that all charge points meet the requirements of PAS 1899:2022 Electric</p>

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
		vehicles: Accessible charging – Specification, and with consideration being given to sufficient spaces allocated for mobility-impaired users.
Non-policy actions		
Table 9.1	<p><u>Comments from the Infrastructure Team:</u></p> <p>There do not appear to be any red flags in what the NDP is proposing to use CIL funds on. Some of the other items (like providing new play equipment and biodiversity enhancements through wildflower planting) might also be reasonably funded from CIL in my opinion. Coupled with the fact there are no site allocations in the NDP, I do not think there are any CIL specific comments to make.</p> <p><u>Comments from the Transport Policy Team:</u></p> <p>Public Transport – Improve Bus Services: <i>The Council is aware of the desire to increase desire to improve bus services in Hermitage. The current 6/6a service forms part of the West Berkshire bus network which is financially supported by WBDC, and unfortunately with the limited resource funding available it is difficult to increase frequencies. Other ways of supporting travel choice in areas outside of the main urban areas of West Berkshire will be explored through the Council's Bus Service Improvement Plan and review of the Local Transport Plan.</i></p>	<p>No changes made. No further comments from the Infrastructure Team.</p> <p>No changes made. No further comments received from the Transport Policy Team.</p>
General comments from the Planning Policy Team		
Consistency Check	Now the Plan is drafted it would be good to check the policies for consistency and whether there is any repetition. As the Plan is prepared by many different people it is useful for someone to have a full read through to check for duplication and policies do not create any conflicts with any other policies. Also it may be worth checking the policies against the agreed vision and objectives of the NDP to ensure they will help to achieve the aspirations of the Hermitage NP. It is also a good opportunity to check that nothing important is missing in terms of addressing the vision and all of the objectives in your plan.	The plan has been checked for consistency and it is noted that the wording of several objectives has been amended in light of this.
Mapping	<p>Check of all maps within the document should be undertaken to ensure that they are readable. The following sets out good practice principles which should be considered (Hermitage may already be aware of the information below):</p> <p>Ordnance Survey base map</p>	

Section / Policy reference	Pre-submission (Regulation 14) comments (date)	Submission consultation (Regulation 16) comments
	<p>Parish Councils can sign up to Ordnance Survey's Public Service Mapping Agreement (PSMA). This will licence your parish council to use a range of Ordnance Survey mapping products for council business. Use of Parish Online mapping software will cover this.</p> <p>Maps should also display the Ordnance Survey licence number.</p> <p>A black and white base map The base map should be black and white to enable all designations and allocations to be viewed clearly.</p> <p>Map must be of an appropriate scale The base map should be of an appropriate scale relative to what the map is showing. As a general rule, for most villages when showing the whole parish a scale of 1:25,000 is likely to work best however this will vary depending on the size of the Parish. However when showing more detailed maps of the village a lower scale might be appropriate for example 1:8000. Ideally you should be able to see individual plots and boundaries clearly.</p> <p>This scale should also be clearly labelled and the Map must include a key / legend.</p>	<p>The license number has been included on all maps. No further changes needed.</p> <p>It is not a statutory requirement for the maps to in black and white. No further changes required.</p> <p>All of the maps included in the NDP include a legend. The maps in the NDP clearly show boundaries. No further changes required.</p>

Appendices

Appendix A: Legal Compliance Check of the Hermitage NDP