

Title of Report:	Core Strategy: Outcomes of Consultation
Report to be considered by:	Special Council
Date of Meeting:	14 February 2012
Forward Plan Ref:	C2387

Purpose of Report:

To consider the representations received in response to the Core Strategy consultations undertaken between 4th November and 16th December 2011.
To consider whether any revisions need to be made to the Core Strategy in the light of these representations.

Recommended Action:

That Council resolves that:

1. No new information or evidence has arisen through the consultations to warrant major changes being made to the Core Strategy.
2. Following consultation responses from Natural England and the Highways Agency, two minor wording changes to the Core Strategy should be made as set out within the report.
3. The Council's response to the consultations as set out within appendices A-H are agreed.

Reason for decision to be taken:

To progress the Core Strategy Examination to get in place an up to date planning framework for the District.

Other options considered:

No significant new information was received which would lead to any other option being considered.

Key background documentation:

West Berkshire Submission Core Strategy Incorporating Changes
Revised Sustainability Appraisal/Strategic Environmental Assessment
Schedule of Further Examination Proposed Focused Changes to the West Berkshire Core Strategy (October 2011)
Schedule of Further Inspector Proposed Focused Change to the West Berkshire Core Strategy (October 2011)
Draft National Planning Policy Framework

The proposals contained in this report will help to achieve the following Council Plan Priority:

- CPP1 – Support our communities through the economic downturn** – to alleviate the impact on different communities and individuals who find themselves out of work and/or disadvantaged

The proposals will also help achieve the following Council Plan Themes:

- CPT1 - Better Roads and Transport**
- CPT2 - Thriving Town Centres**
- CPT3 - Affordable Housing**
- CPT4 - High Quality Planning**
- CPT6 - Vibrant Villages**

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

Putting in place an up to date Core Strategy to proactively guide the future planning of the District.

Portfolio Member Details	
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Date Portfolio Member agreed report:	02 February 2012
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Implications

Policy: The West Berkshire Core Strategy sets out the strategic direction for the Council's planning policy, setting out the broad strategy for development in West Berkshire to 2026.

Financial: This can be funded from within existing budgets in 2011/12.

Personnel: None

Legal/Procurement: The Planning and Compulsory Purchase Act 2004 (as amended) requires the local planning authority to keep under review the matters which may be expected to affect the development of their area or the planning of its development. The proposed West Berkshire Core Strategy as amended seeks to fulfil this obligation.

It should be noted that the failure by the Council to adopt a Core Strategy may result in the Council having no local planning policies in place when determining planning applications. The absence of a Core Strategy would also prevent the Council from adopting a Charging Schedule for the purpose of the Community Infrastructure Levy Regulations 2010, and this will have a significant impact from April 2014 when the Council's ability to seek contributions by way of planning obligations pursuant to section 106 of the Town & Country Planning Act 1990 will be significantly curtailed.

Property: N/A

Risk Management: The Council needs to comply with the SA/SEA Regulations and to progress the Core Strategy Examination in order to get in place an up to date planning framework for the District. The risks to development management are much higher without an up to date development plan in place. The planning system is also in a process of change with the enactment of the Localism Bill and the proposed introduction of the National Planning Policy Framework. The need to explore this through the Examination process has caused delay and additional work.

Equalities Impact Assessment: Stage 1 and 2 EIAs have been completed in tandem with the development of the Core Strategy and are attached as Appendix I to this report.

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

Executive Summary

1. Introduction

- 1.1 This report asks Full Council to approve the response to the recent Core Strategy consultations on the following matters:
- (1) The implications of revisions to the Sustainability Appraisal/Strategic Environmental Assessment for the Core Strategy
 - (2) The Further Examination Proposed Focused Changes (FEPFC)
 - (3) The Further Inspector Proposed Focused Change (FIPFC)
 - (4) The implications of the draft National Planning Policy Framework (NPPF) for the Core Strategy.
- 1.2 The requirement for this work is set out in 3 notes which were published by the Examination Inspector post the June 2011 hearings.
- 1.3 After considering this on 1 November 2011, Full Council recommended the allocation of the Sandford Park site from the 3 alternative options shortlisted at the Options for the Future Stage, and recommended a broad locational approach to the East of the District from the 5 options tested at the Options for the Future stage.
- 1.4 Following approval by Full Council, a 6 week period of consultation took place between 4 November and 16 December.
- 1.5 The responses to the consultation have been individually summarised and are set out in appendices A-H, with Appendices E-H being the longer submissions which were received. An officer response to each comment is also set out.

2. Conclusion

- 2.1 Officers do not consider that any new evidence or information has been submitted through the consultation which would require any major changes to the Core Strategy. However, 2 minor wording changes are proposed (one to Area Delivery Plan Policy 5 on the AONB and the other to policy CS14 on Transport) in response to comments from Natural England and the Highways Agency.
- 2.2 If Members confirm this approach, then the Council's responses to the comments received during consultation will be sent to the Examination Inspector. He will then re-open the Examination, with additional hearings held if necessary.

Executive Report

1. Background

- 1.1 Members will be aware of the notes published by the Core Strategy Inspector post the June 2011 Core Strategy hearing sessions, which resulted in the Examination being suspended. The work that resulted from the notes was reported to Members at Planning Task Group during October 2011 and then to a special meeting of Full Council on 1 November 2011. In summary the work involved firstly revising the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) to set out how decisions were made following Options for the Future, and secondly re-assessing the decisions made after Options for the Future in light of the revisions to the SA/SEA. The Inspector stressed the necessity for Full Council to give objective consideration to the outcomes of the work.
- 1.2 Following the additional work, Full Council agreed the allocation of the Sandford Park site from the 3 alternative options shortlisted at the Options for the Future Stage, and a broad locational approach to the East of the District from the 5 options tested at the Options for the Future stage.
- 1.3 A 6 week period of public consultation then took place between 4 November 2011 and 16 December 2011 on the following matters:
 - (1) The implications of revisions to the Sustainability Appraisal/Strategic Environmental Assessment for the Core Strategy
 - (2) The Further Examination Proposed Focused Changes (FEPFC)
 - (3) The Further Inspector Proposed Focused Change (FIPFC)
 - (4) The implications of the draft National Planning Policy Framework (NPPF) for the Core Strategy.
- 1.4 The number of comments received was as follows:
 - (a) There were 143 reps on the Core Strategy in light of the revised SA/SEA consultation, from 98 consultees.
 - (b) 58 reps on the draft National Planning Policy Framework from 34 consultees
 - (c) 11 on the Further Inspector Proposed Focused Change from 11 consultees
 - (d) 66 on the Further Examination Proposed Focused Changes from 35 consultees
- 1.5 The comments are summarised and responded to individually in Appendices A-D. Additionally some of the longer submissions are responded to and attached as additional appendices (Appendices E-H).
- 1.6 Officers do not consider that major new issues have been raised through the consultation, but make one suggested minor addition to the wording of the Area Delivery Plan Policy (ADPP5) for the Area of Outstanding Natural Beauty (AONB) to address a specific objection from Natural England, and one minor change to the

supporting text of policy CS14 (Transport) in response to the Highways Agency (HA). In responding to the comments, the officer response answers the points raised by the respondent, with particular reference to the source of the answer and where this can be found. For example, if a respondent states a concern that " no transport work has been carried out by the Council" the officer answer would refer to the 4 phases of the Transport Assessment, the output of these in terms of infrastructure requirements set out within the Infrastructure Delivery Plan (IDP), the fact that these have been discussed at previous hearing sessions of the Examination and that the information is publically available and where it can be found.

1.7 Sections 2 to 5 summarise the key points received on the 4 consultations and also summarise the officer response. These summaries should be read alongside Appendices A-H.

2. Responses to the Soundness of the Core Strategy in relation to the Revised SA/SEA (Appendix A).

Key Issues 1

Policy CS4 - Sandleford Strategic Site Allocation

2.1 The bulk of the responses related to the allocation of Sandleford Park as a strategic site. During the consultation period, an action group was set up called 'Say No to Sandleford' and the group coordinated additional responses which were sent as an attachment to the main response. This is included within Appendix F.

2.2 An on-line petition against the proposed Sandleford development has attracted over 400 signatures to date only a third of which are from the United Kingdom. This was set up after the consultation period closed.

2.3 Although many of the comments did not refer to the revised SA/SEA, nor relate specifically to policy CS4, officers have responded to the comments received in full. Several lengthy representations have been received and officers have attached these submissions and the officer response separately as additional appendices E-H for ease of reference, to aid the Inspector, and to ensure that the detail is not lost.

2.4 The main comments made together with the officer response (which specifically highlight where the information can be found in publically available documents on the Council's website) were as follows:

- (1) Concerns over the site selection process including comments that changes to the scoring system used in the SA/SEA in 2009 have resulted in Sandleford being selected as a strategic site.

The officer response to this point summarises the evolution of the scoring system in the SA/SEA from the Site Selection Framework onwards, with reference to the full documentation. The wider site selection process is explained, with reference to the fact that the Site Selection Framework was only part of the process of selecting the sites. This explains how Sandleford Park in combination with Newbury Racecourse, was agreed by PTG following the Options for the Future consultation (May to July 2009) and then at Full Council in January 2010.

- (2) Comments that Sandlesford Park has been assessed in a different way from other reasonable alternative sites.

The officer response to this point is that Sandlesford Park has been assessed in a consistent fashion to the other promoted strategic sites and this is explained, with reference to the range of factors from the evidence base (e.g. flood risk assessments, transport assessments) as well as, for example, other factors such as national guidance and the emerging vision for the Core Strategy, which all need to be taken into account.

- (3) That brownfield sites are available in sufficient quantities in Newbury to prevent the need for a greenfield strategic site.

The officer response with regards to brownfield sites, explains that the Core Strategy has taken the availability of brownfield sites into account. No respondent has detailed where 1,000 units could be developed on brownfield land in Newbury, but instead make more general references to the perceived availability of 'employment sites' etc.

- (4) That developing Sandlesford would worsen existing traffic problems and cause new traffic problems.

The officer response in relation to traffic issues, cross refers to published information in the form of the Transport Assessments and the outcome of these in terms of any necessary infrastructure improvements to deliver the development which are set out in the Infrastructure Delivery Plan (IDP). It also states that whilst modal shift will be actively encouraged, it is not assumed that this will affect traffic generation in the Transport Assessment Phase 4.

- (5) Other infrastructure concerns, including over future educational provision, with some specific references to the acceptability of extending Park House School.

The officer response on education has been discussed and agreed with the Council's Education Department and refers to the preferred approach being the remodelling of the existing Park House School.

- (6) Complaints over a lack of consultation, and some specific comments about the consultation system used by the Council.

The officer response regarding comments on the previous consultation processes have been responded to via cross references to the published Statements of Consultation which are published on the Council's website and explain what consultation has been carried out at different stages of the Core Strategy and how the comments made have been taken into account. In terms of complaints about the current consultation, officers have tried to make it as clear as possible for respondents, whilst complying with the regulatory process. As well as the on-line consultation system, it has been possible to respond to the consultation via email or letter, or using hard copies of the forms which were available in libraries and from the Council offices.

- (7) Comments that whilst the outcome of public consultation has been taken into account in the Eastern area, this has not been the case in Newbury.

The officer response with regard to the outcome of public consultation in the east, explains that public consultation only forms part of the evidence base, and is taken into account alongside the technical evidence base. The outcome of public consultations, together with technical concerns were reasons for not taking forward strategic site options in the east of the District.

- (8) Landscape concerns with specific reference to the Capability Brown landscape.

The officer response with regard to landscape, explains that the Sandleford proposal does not include any of the historic parkland and that the areas adjacent are proposed to be protected from development in perpetuity.

Key Issues 2

2.5 Apart from the CS4 Sandleford Park comments, other key comments on the implications for the Core Strategy arising from the changes to the SA/SEA are as follows:

- (1) In terms of CS7 (affordable housing) comments that the policy is not justified in the light of viability evidence.

The officer response is that the affordable housing policy is flexible enough to accommodate a lower provision of affordable housing if fully justified by the developer.

- (2) A comment on CS9a (AWE) from Bovis Homes who are promoting a site at Tadley and think that the policy is too restrictive.

The officer response in terms of CS9a, the policy is not considered too restrictive and applications will continue to be discussed on a case by case basis with the Office for Nuclear Regulation (ONR).

- (3) Several comments on the Area Delivery Plan (ADP) policies, either requesting higher numbers or promoting sites - e.g. at Burghfield, at Whitehart Meadow and west of Donnington Village.

The officer response in terms of the ADP policies is that it is not necessary to change these and there was not new evidence submitted to suggest that different numbers or allocations would be appropriate at this stage of the Core Strategy process. Detailed housing numbers and non strategic allocations will be set out within the Site Allocations and Delivery DPD.

- (4) In respect of the AONB - some support for the changes which give a maximum number of 2000 for the AONB and other respondents thinking that the number is too high and that it will have negative landscape impacts.

The officer response in respect of the AONB response is set out in the response to the FPEFCs (3.1(3) below).

- (5) Some comments about infrastructure provision, specifically with regards to water supply at Sandlesford.

The officer response in terms of infrastructure provision, is that this work has been carried out in conjunction with infrastructure providers and included within the Infrastructure Delivery Plan (IDP). Water extraction has been discussed with Thames Water throughout the development of the Core Strategy. They have confirmed the sufficiency of the local water supply network.

- (6) A comment from the Highways Agency requesting rewording of the policy in paragraph 5.67 (the supporting text of policy CS14 (Transport) to say "Where a Transport Assessment for a significant development illustrates that there will be ~~a material reduction in capacity on~~ an impact on the capacity of the SRN, the developer will need to undertake detailed traffic modelling in accordance with national guidance".

The officer response in terms of the Highways Agency recommendation, is to propose a minor amendment to paragraph 5.67 as follows:

"Where a Transport Assessment for a significant development illustrates that there will be ~~a material reduction in capacity on~~ an impact on the capacity of the SRN, the developer will need to undertake detailed traffic modelling in accordance with national guidance".

3. Responses on the Further Examination Proposed Focused Changes (Appendix B)

- 3.1 A wide variety of comments were received and these are set out in Appendix B. The key themes were as follows:

- (1) Comments either in support or opposing the introduction of 'at least' into the 10,500 figure in FEPFCs 2, 3 and 11 with concern either that the figure is too limited or not limited enough.

The officer response to the issue of the housing numbers has been discussed in full at the Core Strategy Examination hearings, and the wording was requested by the Inspector to clarify that 10,500 is not a cap.

- (2) On FEPFC6, comments again either in support or opposing the introduction of wording regarding the release of greenfield sites adjacent to the settlement boundary at Thatcham.

The officer response is that the wording change regarding greenfield sites at Thatcham was to add consistency with the other Area Delivery Plan policies and was requested by the Inspector to clarify that not all of the proposed development at Thatcham could take place on previously developed land.

- (3) A range of comments were received on FEPFC9, which is a change to the AONB policy regarding the housing numbers to be found in the area, and to clarify that the provision of this housing is subject to the overarching objective for the AONB. A specific issue that has arisen from consultee Natural England is whether or not policy ADPP5 is clear

enough about how the policy should be applied, specifically about what 'appropriate and sustainable growth that conserves and enhances its special landscape qualities' means in practice. In response to this, some revised wording is proposed (see below).

The officer response to the AONB change, and to reflect the concerns identified by Natural England, is that for further clarification, the Housing sub section bullet point 2 could be amended to read:

'There will be further opportunities for infill development and for development on previously developed land. New housing allocations will be focused on the Rural Service Centres and Service Villages within the North Wessex Downs, with the emphasis on meeting identified local needs. The development will be allocated through the Site Allocations and Delivery DPD or a subsequent planning document, and will depend on the role and function that the settlement performs, supported by suitable development opportunities, identified through the Strategic Housing Land Availability Assessment (SHLAA). The conservation and enhancement of the natural beauty of the landscape will be the paramount consideration in assessing these sites.' Members' views are sought on this potential change.

- (4) FEPFC13 clarifies that development on greenfield sites will be required and is largely supported by respondents, with one objection on the basis that development should take place on brownfield sites.

The officer response is that the wording was a clarification request by the Inspector, and has not changed the principle of the policy.

- (5) FEPFC18 refers to policy CS9a, specifically with regard to the Boundary Hall decision and the future role of Tadley.

The officer response is that the Boundary Hall issue was discussed in full at the June 2011 hearing session and no further action is required.

- (6) FEPFC19 refers to CS10 and some comments sought the use of employment sites for mixed use developments including housing, which they thought would eliminate the need for the Sandleford allocation.

The officer response in terms of employment is that whilst the importance of mixed use development is recognised, this must be in appropriate locations. It is essential that the health of the District's employment areas is maintained to allow for economic growth. The policy is sufficiently flexible to allow for appropriate alternative uses in appropriate locations.

4. Responses to the Further Inspector Proposed Focused Change (Appendix C)

- 4.1 There was only one FIPFC, which was in relation to the AONB, where the Council did not support the wording proposed by the Inspector. 3 comments in support and 6 objecting to the Inspector's wording were received, with 2 not specifying whether they objected or supported the change. Officers set out above that further

clarification could be provided on the Council's wording, specifically to overcome the objection from Natural England.

5. Responses on the Soundness of the Core Strategy in relation to the draft National Planning Policy Framework (Appendix D)

5.1 There were a wide range of comments arising from the draft NPPF. The key common issues are as follows and the full comments and responses are set out in Appendix D

- (1) 8 respondents thought the Core Strategy was in accordance with the NPPF. Others made the point that it is premature to assess the Core Strategy against the NPPF, given that it is likely to be substantively changed.

The officer response in terms of the weight to be given to the draft NPPF as a material consideration, is that the Council recognises that this is a draft and therefore likely to change in some respects. However, the comments made through consultation have been responded to in full, as the Inspector requested.

- (2) The draft NPPF promotes growth and an increase in the housing supply, whilst the Core Strategy artificially constrains growth through insufficient allocations.

The officer response, the Council has given evidence through the Examination process as to why 10,500 is an appropriate housing figure for the District, and how there is flexibility regarding this figure set out within the Core Strategy. Through the recent consultation, the Council has confirmed that this figure is not a ceiling and will be reviewed at an appropriate time. Any review will be undertaken based on clear and up to date evidence.

- (3) The emphasis on mixed use development is not carried through in the Core Strategy.

The officer response is that mixed use developments are facilitated in the Core Strategy, with specific examples referred to. The benefits of mixed use development are recognised and policy CS10 has been revised through the Examination process to enable this in appropriate locations.

- (4) Given the emphasis on a 'duty to cooperate' in the draft NPPF, the Core Strategy should pay more regard to cross boundary issues such as to the role of Tadley, and the role of Reading.

The officer response with regard to the duty to cooperate, the Core Strategy clearly recognises cross border issues and builds on the existing settlement pattern with a focus on the urban areas in the East of the District and on Newbury and Thatcham. Tadley has therefore not been recognised as an appropriate location for strategic level development, but smaller amounts of development will be assessed through the Site Allocations and Delivery DPD.

- (5) The Core Strategy evidence base is out of date and this is contrary to the draft NPPF.

The officer response is that the evidence base is not out of date, it is the evidence base on which the Core Strategy was developed and it would not be appropriate to constantly stall the Examination process to refresh it. A review of relevant parts of the evidence base will be carried out as part of the preparation of the Site Allocations and Delivery (SAD) DPD (or Local Plan).

- (6) The Core Strategy does not plan sufficiently for economic growth, given the priority given to this within the draft NPPF

The officer response is that in terms of economic growth, policy CS10 of the Core Strategy is based on the evidence set out within the Employment Land Assessment. This aims to protect the health of the local economy by carrying forward the Protected Employment Area designation.

- (7) Some comments that the Area Delivery Plan policies do not give sufficient guidance for Neighbourhood Plans in terms of housing numbers.

The officer response with regard to Neighbourhood Plans, is that the SAD DPD will be prepared in conformity with the Core Strategy and will identify specific sites.

- (8) The Core Strategy does not ensure good access to high quality public transport (with specific regard to Sandford).

The officer response is that CS14 on Transport provides the appropriate Core Strategy policy and all planning applications will need to demonstrate how they will improve travel choice and reduce car use.

6. Next Steps

- 6.1 Appendices A-H to this report were considered by Planning Task Group on 27 January and by Management Board on 2 February.
- 6.2 The outcome of the consultation is that on the basis of the responses received, apart from a minor proposed wording change to the AONB policy (ADP5) and to policy CS14 (Transport), there are no new issues or evidence which require additional changes to the Core Strategy
- 6.3 Full Council is invited to agree that on the basis of the comments set out in the appendices to this report, that they confirm this approach.

Appendices

Appendix A: Schedule of responses to the soundness of the Core Strategy in light of the revised SA/SEA.

Appendix B: Schedule of Responses to the Further Examination Proposed Focused Changes.

Appendix C: Schedule of Responses to the Further Inspector Proposed Focused Change.

Appendix D: Schedule of Responses to the draft National Planning Policy Framework.

Appendix E: Representation from the West Berkshire Liberal Democrat Shadow Executive
Appendix F: Representation from the Say No to Sandford Campaign (SNTS).
Appendix G: Representation from The Fairhurst Estate and BGL Reads Trust Company Limited as Trustee of the JSF Accumulation and Maintenance Settlement.
Appendix H: Representation from Pegasus Planning Group Ltd on behalf of Henry Davidson Developments Ltd and TA Saunders Trustees.
Appendix I: Equality Impact Assessment Stages 1 and 2.

Consultees

Local Stakeholders: Ongoing as part of the Core Strategy process

Officers Consulted: Ongoing as part of the Core Strategy process

Trade Union: N/A

3. Result (please tick by clicking on relevant box)	
<input type="checkbox"/>	High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	

Name:

Date: