



Buckinghamshire Council response to the reg16 consultation on the Whitchurch Neighbourhood Plan

Comments from team	Policy or para	Page	Comment
Planning Policy	Foreword, 2.4	iii, 5	The Area of Attractive Landscape designation comes from the VALP. That lasts up to the plan replacement by the Local Plan For Buckinghamshire. As the rest of Bucks does not use local landscape designations there will have to be a decision about whether these continue for the new plan. But a review of the Whitchurch neighbourhood plan around the time the new Local Plan For Buckinghamshire is approaching adoption could include the AAL if it wishes and such designations are still accepted under the NPPF as part of what 'valued landscapes' are.
Planning Policy	1.2, 3.7	1, 14	The Local Plan For Buckinghamshire is likely to be later than 2040 as national guidance is it should be for a period of at least 15 years from adoption. Adoption is likely 2026-27.
Planning Policy	1.7	2	A Habitat Regulations Assessment formal screening has been drafted and is on consultation with Natural England. The outcome will be sent to the parish council later in September.
Ecology		12	<p>The provided Plan C: Whitchurch Environmental Constraints Plan has sourced its biological records from a document dated 2011 which is over a decade old. An updated data wildlife search is required to see recent and up to date records within the area, as the validity of the data is in question.</p> <p>To add onto the Plan C there are protected species also found within the parish alongside the notable species such as badgers, grass snake, redwing, brown long eared bats, and great crested newts.</p> <p>The known biological notification site within Whitchurch between Castle Lane and the High Street has been recognised within section 2.13 but, this site is not visible within the provided Plan C. Therefore, this is required to be updated, as the environmental constraint within the parish is not up to date.</p>

Planning Policy	3.3	13	The VALP is a bit confusing in on p.38 it shows a table with no allocations listed for Whitchurch yet it has policy D-WHI009 allocating a site for 22 homes as the Neighbourhood Plan explains. This may have been due to a housing land supply update in 2020-21 that counted the 22 home site when it gained outline permission as a 'commitment' and not an allocation any more. But the policy D-WHI009 was retained in VALP so it would also affect any detailed planning application.
Planning Policy	W3	23-24	Is the idea that the reserve site can come forward if the Local Plan For Buckinghamshire identifies a need for Whitchurch to provide more housing? What about if there is below 5-years housing land supply for the Aylesbury Vale Area against the requirements of the VALP - the policy could be phrased to allow the site to come forward to meet the needs to 2033 too. The current position is we only have 5.0 years housing land supply in the area covered by the VALP.
Ecology	Policy W3: point ix,	23	<p>Biodiversity net gain</p> <p>It is welcoming to see Biodiversity Net Gains are mentioned within the policy point ix however, it is required to mention that these gains should be measurable using the most up to date techniques. This is to be in accordance with the Environmental Act 2021 and NPPF.</p> <p>Paragraph 174d of NPPF requires that: <i>“Planning policies and decisions should contribute to and enhance the natural and local environment by ... <u>minimising impacts on and providing net gains for biodiversity</u>, including by establishing coherent ecological networks that are more resilient to current and future pressure”.</i></p> <p>The NPPF in section 179b states: <i>“promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”</i></p> <p>The NPPF (2021) Paragraph 180a states <i>“When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”</i></p> <p>The NPPF (2021) Paragraph 180d states <i>“When determining planning applications, local planning authorities should apply the following principles.... development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”</i></p>

			<p>Furthermore, development should provide Biodiversity Net Gain following the appropriate mitigation hierarchy in accordance with CIEEM (Chartered Institute of Ecology and Environmental Management) guidelines (Avoid, minimise, restore, offset/compensate, enhance). Where development is proposed to cause harm to flora and fauna, avoidance should be the first option if this is possible. Mitigation and Compensation for the gains should then be provided onsite. As a last resort it is then looked at to provide the gains off-site. Many factors affect the feasibility for off-site gains such as the sites baseline ecology (protected species presence and like for like habitat), availability and location.</p> <p>Overall development should not only have regards to the local plan policy it should also have regards to the NPPF and Environmental Act 2021.</p>
Planning Policy	W4	25	Is the Design Code intended to replace the Design SPD recently adopted for the Aylesbury Vale area? Or would both apply? Local planning guidance Buckinghamshire Council
Planning Policy	W5	26	Have the key location public realm improvements been discussed with the Council's conservation area officers and highway officers on the form they could take and how it affects the wider highway area and conservation area?
Economic Development	W6	27	The policy identifies only established business, the policy is recommended to include something about support for new businesses coming into Whitchurch. This could include retail as well as traditional businesses.
Planning Policy	W6 (b) and W7	27, 28	It would be better to list the relevant provisions of the VALP Policy D7 and I3 within the neighbourhood plan policies otherwise what happens when that plan is replaced by the Local Plan for Buckinghamshire around 2026-27?
Planning Policy	W8	29	Surely development that is consistent with the designation as a Local Green Space can be supported? The policy should be phrased to mean development not consistent with them being green spaces would be resisted.
Planning Policy	W9	30	The policy should be phrased to say proposals will be resisted unless they can incorporate acceptable mitigation or an acceptable design solution so that the impact on the important view is not significantly adverse.
Planning Policy	W10	31	The policy should reference where the listed/defined green infrastructure assets can be found - otherwise it will be unclear on planning decision what is counting as assets.
Ecology	Policy W10: Green Infrastructure	31	<p>Biodiversity enhancement feature</p> <p>As required with the Aylesbury Vale Green Infrastructure Strategy and the local plan NE1 appropriate species specific biodiversity enhancement features are compulsory, to be incorporated within the proposed development. For example, there are large numbers of bats and hedgehogs found within the parish boundary therefore, it</p>

			<p>may be appropriate to incorporate bat boxes into the proposed development along with hedgehog holes within the proposed boundaries to provide habitat connectivity.</p> <p>The NPPF (2021) Paragraph 180d states <i>“When determining planning applications, local planning authorities should apply the following principles.... development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”</i></p>
Ecology	Section 5.27	32	<p>Protected habitat</p> <p>It is welcoming to hear that there is a newly created community woodland and orchard within the Parish. It may be worth mentioning what fruit trees have been planted here as an example. Particularly if they are locally sourced.</p> <p>It is also welcoming to see that the document reflects in paragraph 5.27 that there are a few biodiversity action plan priority habitats found within the parish. It is recommended to identify these habitats within the parish in the plan to provide clarity of what potential opportunity there are for these particular habitats such as, traditional orchards and ponds. The current priority habitat records can be gathered from the local wildlife record centre (Buckinghamshire and Milton Keynes Environmental record centre).</p> <p>With regards to priority habitats and proposed development particularly housing allocations; Development on or adjacent to designated sites and priority habitat sites should be avoided. Particularly as traditional orchards are under substantial pressure.</p> <p>The Local Plan Policy ‘NE1 Biodiversity and Geodiversity’ of the Aylesbury Local Plan 2013-2033 states: <i>“g. <u>Where development proposals affect a Priority Habitat (As defined in the Buckinghamshire Biodiversity Action Plan or UK Biodiversity Action Plan) then mitigation should not be offsite. Where no Priority Habitat is involved then mitigation can be off-site. When there is a reasonable likelihood of the presence of protected or priority species or their habitats, <u>development will not be permitted until it has been demonstrated that the proposed development will not result in adverse impacts on these species or their habitats.</u> The only exception will be where the advantages of development to the protected site and the local community clearly outweigh the adverse impacts. In such a case, the council will consider the wider implications of any adverse impact to a protected site, such as its role in providing a vital wildlife corridor, mitigating flood risk or ensuring good water quality in a catchment.”</u></i></p>

			The NPPF (2021) Paragraph 174a states: <i>“Planning policies and decisions should contribute to and enhance the natural and local environment by..... protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)”</i> .
Ecology	Section 5.28	32	The report highlights that Chinese water deer and muntjac are found within the parish. It is to be noted that they are non-native species and muntjac are a known invasive, which is concerned to provide negative effects to biodiversity and the local environment.
Highways DM	Policy W5 Para 5.14	31 31	Not an objection, just a word of warning - In order to be developer funded, any traffic calming or parking schemes need to be directly related to the planning application, and if the Highway Authority were to request these schemes, we must be able to demonstrate a clear impact on the highway, for example a highway safety concern. Could any of these improvements be linked to any of the site allocations? This would improve the developer’s awareness and increase chances of it demonstrating that the works/financial contributions would be justified
Planning Policy	Policies Map	35	The settlement boundary on North Marston Lane extends a long way with a small strip fronting both sides and cutting through a building on the south side. It is unclear what defined features on the ground the boundary is following.
Ecology	-	-	It is recommended to have a specific ecological or biodiversity policy as proposed by many other neighbouring neighbourhood plans to secure, continue and enhance the already locally biodiverse area.
Archaeology	-	-	Whilst the document references the Scheduled castle mound within the village, and includes a plan of heritage constraints, there is no policy relating to archaeology. We would suggest that the NP should include a policy relating to heritage and archaeology which recommends that development proposals consult with the Historic Environment Record (HER), as a minimum. This would be in accordance with paragraph 194 of the NPPF which states that in determining applications “As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”
Archaeology	-	-	Buckinghamshire Council is currently compiling a local list of heritage assets, which will include archaeological sites. Any archaeological sites confirmed on the local list will be taken into consideration in the planning process. For further information, see <u>Home - Buckinghamshire's Local Heritage List (local-heritage-list.org.uk)</u>

Date: 26 September 2023
Our ref: 445633
Your ref: Whitchurch Neighbourhood Plan



The Neighbourhood Planning Team
Buckinghamshire Council

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

neighbourhoodplanning@buckinghamshire.gov.uk

T 0300 060 3900

Dear Sir/Madam

Whitchurch Neighbourhood Plan - Regulation 16 Consultation

Thank you for your consultation on the above dated 10 August 2023.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in [Natural England's Standing Advice on protected species](#).

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If an Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours faithfully

Sally Wintle
Consultations Team



Historic England

Whitchurch Neighbourhood Plan
Planning Policy Team
Buckinghamshire Council
Gatehouse Road
Aylesbury
HP19 8FF

Our ref:

PL00762763

neighbourhoodplanning@buckinghamshire.gov.uk
by email only

21/08/23

Dear Planning Policy Team,

Ref: PL00762763 Whitchurch Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

We would be grateful if you would notify us on e-seast@HistoricEngland.org.uk if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk





Historic England

Please do contact me, either via email or the number below, if you have any queries.

Yours sincerely,

Jessica Laker
Business Officer

Jessica.laker@historicengland.org.uk

020 7973 3856



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk





David Wilson
E: david.wilson@thamewater.co.uk
M: +44 (0) 7747 647031

Buckinghamshire Council

Issued via email:
neighbourhoodplanning@buckinghamshire.
gov.uk

1st Floor West
Clearwater Court
Vastern Road
Reading
RG1 8DB

26 September 2023

Buckinghamshire – Whitchurch Neighbourhood Plan 2020-2040 submission consultation

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.

As you will be aware, Thames Water are the statutory water supply and sewerage undertaker for the majority of Buckinghamshire and are hence a “**specific consultation body**” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. For Whitchurch we only cover sewerage and Anglian Water are the water undertaker.

We have the following comments on the consultation in relation to our sewerage undertakings:

General Sewerage/Wastewater [and Water Supply] Infrastructure Comments

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2023, states: “*Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...*”

Paragraph 11 states: “*Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*
a) *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects*”

Paragraph 28 relates to non-strategic policies and states: “*Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...*”

Paragraph 26 of the revised NPPF goes on to state: *“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”*

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that *“Adequate water and wastewater infrastructure is needed to support sustainable development”* (Paragraph: 001, Reference ID: 34-001-20140306).

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water’s free pre planning service are available at:

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

In light of the above comments and Government guidance we consider that the Neighbourhood Plan should include a specific reference to the key issue of the provision of wastewater/sewerage and water supply infrastructure to service development proposed in a policy. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend that the Neighbourhood Plan include the following policy/supporting text:

“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”

“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”

2.12 Comments in Relation to Flood Risk and Sustainable Drainage Systems

We support the reference to sewer flooding in principal, but this needs to be strengthened in line with the comments above and below.

The National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".

Flood risk sustainability objectives and policies should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.

With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.

Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.

SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.

With regard to surface water drainage, Thames Water request that the following paragraph should be included in the Neighbourhood Plan "***It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.***"

Site Allocations

The information contained within the Neighbourhood Plan will be of significant value to Thames Water as we prepare for the provision of future wastewater [and water supply] infrastructure.

The attached table provides Thames Water's site specific comments from desktop assessments on water supply, sewerage/waste water network and waste water treatment infrastructure in relation to the proposed sites, but more detailed modelling may be required to refine the requirements.

Early engagement between the developers and Thames Water would be beneficial to understand:

- What drainage requirements are required on and off site
- Clarity on what loading/flow from the development is anticipated

We recommend Developers contact Thames Water to discuss their development proposals by using our pre app service via the following link: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

It should be noted that in the event of an upgrade to our sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade. As a developer has the automatic right to connect to our sewer network under the Water Industry Act we may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured wastewater and water supply matters for the development are being addressed.

We trust the above is satisfactory, but please do not hesitate to contact David Wilson on the above number if you have any queries.

Yours faithfully,

David Wilson
Thames Water Property Town Planner

From: [Robyn Milliner](#)
To: [Neighbourhood Planning Mailbox](#)
Cc: [David Wetherill](#); [Dan Skinner](#)
Subject: [EXTERNAL] Representation to Regulation 16 Consultation on behalf of Gade Homes
Date: 28 September 2023 10:14:17
Attachments: [image001.png](#)
[20230928 Reg 16 Kempson House ETP210706c FINAL.pdf](#)

You don't often get email from robyn.milliner@etplanning.co.uk. [Learn why this is important](#)

[Please note this has been sent from an **external source** - treat with caution and **do not open attachments / use links until you are sure this is a trusted communication see intranet/IT for advice.**]

Dear sir/madam,

We write in response to the Regulation 16 Whitchurch Neighbourhood Plan Consultation which commenced on 10th August and runs until 28th September 2023.

I write to you as the planning agent, on behalf of Gade Homes who have entered into an Option Agreement on 'Land at Kempson House, Whitchurch, Buckinghamshire' which is proposed for allocation in Policy W2 of the Whitchurch Neighbourhood Plan.

I have attached our full representation to this email, however in summary our clients commend the work which has been taken by the Neighbourhood Plan Steering Group to date. We support the inclusion of our clients site Land at Kempson House West within Policy W2: Housing Allocation – Land at Kempson House West and within the settlement boundary as defined by Policy W1: Settlement Boundary. Whilst we continue to support the Neighbourhood Plan, we do have outstanding concerns relating to the wording of the policies of Policy W2: Housing Allocation - Land at Kempson House West and the inclusion of site (iii) Grass Bank Kempson House/Old House of Policy W8: Local Green Space.

We hope that our comments are taken into account by the Independent Examiner and we look forward to seeing the progression of the Neighbourhood Plan.

Please can you confirm receipt of the attached representation?

Many thanks,

Robyn

Robyn Milliner **BA (Hons) MSc MRTPI**
Principal Planner | ET Planning



CIL | Enforcement | Land Promotion | Planning | Sequential Tests | Viability
200 Dukes Ride, Crowthorne, RG45 6DS | 01344 508048 | 01344 231195
Robyn.Milliner@etplanning.co.uk
www.etplanning.co.uk

Sent via email
neighbourhoodplanning@buckinghamshire.gov.uk

Whitchurch Neighbourhood Plan
Planning Policy Team
Buckinghamshire Council
Gatehouse Road
Aylesbury
HP19 8FF

28 September 2023

Dear Sir/Madam,

Representation to Regulation 16 Consultation on behalf of Gade Homes

We write in response to the Regulation 16 Whitchurch Neighbourhood Plan Consultation which commenced on 10th August and runs until 28th September 2023.

I write to you as the planning agent, on behalf of Gade Homes ('the Developer'), who have entered into an Option Agreement on 'Land at Kempson House, Whitchurch, Buckinghamshire' (hereafter referred to as 'the Site'), which is proposed for allocation in Policy W2 of the Whitchurch Neighbourhood Plan ('WNP').

This letter is structured around the following considerations:

- Regulation 14 consultation comments
- Regulation 16 consultation comments
 - Draft Policy W1: Settlement Boundary
 - Draft Policy W2: Proposed Housing Allocation - Land at Kempson House West, Whitchurch, Buckinghamshire
 - Draft Policy W8: Local Green Spaces
- Summary

Regulation 14 consultation comments

We have previously made comments to the Parish Council through the Regulation 14 Pre-Submission Consultation which commenced in December 2022 and ran until February 2023.

In summary our comments to the previous Regulation 14 consultation these can be summarised as follows:

- The representation supported the principle and intent of the **Whitchurch Neighbourhood Plan**;
- Supports site allocation policy (policy **W2**) for development of the site Land at Kempson House;
- Confirms the Site's availability and deliverability for residential development;
Intends to deliver housing in a prompt manner with high-quality design;

Gade Homes have therefore engaged at every point in the process to date, including a number of discussions with the Neighbourhood Plan Steering Group about delivery of the allocation. We also commend the hard work that has been undertaken by the Neighbourhood Plan Steering Group to date.

Regulation 16 consultation comments

This Regulation 16 Consultation representation seeks to build upon the comments previously made. Firstly, we **support** the Parish Council's decision to include the Site within the draft **Whitchurch Neighbourhood Plan** Regulation 14 through draft Policy **W2**.

It should be noted that as per paragraph 37 of the National Planning Policy Framework (NPPF, 2023), Neighbourhood Plans must meet certain 'basic conditions' and other legal requirements before they come into force, and

this is what the Independent Examiner will assess the Neighbourhood Plan against.

Whilst we consider that the proposed housing allocation W2 to be viable and deliverable overall, we do consider that **some modifications to policies are still required to meet the basic conditions** and remove areas of ambiguity. These modifications are discussed in more detail through this representation.

Policy W1: Settlement Boundary

Policy W1 defines the settlement boundary for development in Whitchurch. Development proposals within this boundary will be supported if they comply with other relevant policies. However, proposals outside of the boundary will only be supported if they align with development plan policies for rural areas.

We are supportive of the inclusion of the site Land at Kempson House within the boundary identified in Policy W1. We are supportive of the pro-active approach the Neighbourhood Plan group have taken to development within the Parish and have no further comments to make on this policy.

Policy W2: Housing Allocation - Land at Kempson House West

About the Site – Land at Kempson House West

The site is considered to be suitable for development, it provides a easy access to essential amenities such as schools, healthcare facilities, and public transportation. The site's proximity to existing residential areas ensures that new housing will integrate with the surrounding community.

In terms of deliverability, the Kempson House West site offers good potential for development. The availability of key infrastructure, including road networks and utilities, will facilitate the timely and efficient

implementation of the planning permission on site. This, in turn, will contribute to meeting the demand for housing in Whitchurch. Additionally, the developability of the Kempson House West site aligns with the NPPF.

We consider the Site to be developable (i.e. it is in a suitable location for development, is available and could be viably developed). We believe that this allocation aligns with the objectives of the National Planning Policy Framework (NPPF) and will contribute positively to the development of the area. We therefore support the continued allocation of the site through the Neighbourhood Plan.

General Comments on the policy

We support the inclusion of our client's site which has been proposed as a site allocation within the Neighbourhood Plan through this policy. Furthermore, we support the scale of development for approximately 23 new homes as proposed within the policy.

However, we do have a few outstanding comments which are discussed in more detail below:

Specific comments on the policy criteria

Criterion i)

In relation to criterion i) as currently worded this requires (ET Planning's suggested deletion shown with a strikethrough):

i)The scheme delivers approximately 23 new homes comprising a mix of open market and affordable homes in accordance with Local Plan policies, including the interim position statements on the provision of First Homes (or successor policies) or any subsequent update ~~with an emphasis on one, two and three bedroom homes suitable for first time buyers, those~~

and as guided by the

Whitchurch Housing Needs Assessment;

As previously noted, we support the scale of development outlined within the policy. However, we are concerned with regards to the reference to the current policy wording which notes that homes should be delivered *'with an emphasis on one, two and three bedroom homes suitable for first time buyers, those looking to rent their first home and downsizers and as guided by the Whitchurch Housing Needs Assessment'* within the policy.

The Housing Needs Assessment has been published as part of the evidence base documents for the Neighbourhood plan and has been undertaken by AECOM on behalf of Locality. When assessing Table 5.8 of the Housing Needs Assessment considers in paragraph 132 that *'The model suggests that primarily 3 bedroom dwellings should be prioritised, followed by those with 2 bedrooms then 1 bedroom. The table suggests that dwellings with 4 or 5 or more bedrooms should still be delivered but as a lower proportion than those with fewer bedrooms.'* (ET Planning emphasis added). This is not entirely reflected within the policy wording.

Table 5-8: Suggested dwelling size mix to 2040, Whitchurch

Number of bedrooms	Current mix (2011)	Target mix (2040)	Balance of new housing to reach target mix
1 bedroom	5.6%	9.5%	18.0%
2 bedrooms	21.7%	22.7%	24.9%
3 bedrooms	36.0%	40.1%	49.0%
4 bedrooms	27.5%	20.8%	6.2%
5 or more bedrooms	9.3%	6.9%	1.9%

Source: AECOM Calculations

Paragraph 133 of the Housing Needs Assessment notes *'It is never advisable to restrict future housing delivery to selected size categories only. The result of this model is a relatively blunt measure of what could be beneficial given population change and existing imbalances in housing*

options. It is a starting point for thinking about how best to address the more nuanced needs of the future population.' (ET Planning emphasis added)

The term 'emphasis on' is ambiguous. It is unclear if this means development should 'exclusively' provide 1, 2 and 3 bedroom as opposed to 'predominantly'. The danger of this ambiguity is that this could be interpreted by planning officers as 'exclusively' which would not affect the findings of the HNA.

By making the policy potentially so prescriptive, there is no ability for flexibility. Additionally, the assessment identifies different requirements for market and social housing and question the methodology and data used in the assessment. It is not clear if AECOM have been in contact with the Council to understand the housing needs register for Whitchurch Parish and whether these have been taken into account.

We support the reference to a planning balance exercise, i.e. assessing the scheme against planning policies, as there may be character led considerations which also warrant a different mix. There may be benefits in making this clearer in the policy.

In summary, the policy is capable of meeting the basic conditions subject to the amendments set out above.

Criterion vii)

In relation to criterion vii) as currently worded this criterion requires:

vii) Proposals have full regard to Local Plan policy requirements on preserving, and where possible enhancing heritage assets in responding to the location of the land adjoined to the Whitchurch Conservation Area;

It should be noted that the Site is not located within the Conservation Area, and nor does it contain Listed Buildings.

This criterion is considered to duplicate the Local Plan Policy BE1 (Heritage Assets) and does not add any specific requirements over and above that of Policy BE1.

A further complication is that the National Planning Policy Framework uses the terminology 'conserving and enhancing the historic environment' rather than the terminology used in the policy which is 'preserving and enhancing'.

Different policies within the Neighbourhood Plan and Local Plan may contradict or overlap with each other, leading to conflicts and challenges in implementing and enforcing the plans. This can result in delays and complications in the planning process, leading to uncertainty for developers, residents, and other stakeholders.

We therefore consider that would be better to delete the requirement in full, which is already covered by existing policies. This would ensure that the policy is capable of meeting the basic conditions.

Criterion x)

In relation to criterion x) as currently worded this criterion requires:

x) A sustainable drainage strategy is prepared, which seeks to maximise the use of sustainable drainage systems in the design of the scheme and approved by the local planning authority to address the effects of surface water run-off within the land, or as such surface water run-off from the land might impact elsewhere within the village.

Our client is happy to prepare and implement a sustainable drainage strategy, however we are concerned by the wording which requires the sustainable drainage strategy 'to address the effects of surface water run-

off within the land or as such surface water run-off from the land might impact elsewhere within the village.'

The wording is imprecise and wordy, and deviates from the wording associated with Local Plan policy I4 which already contains detailed requirements on the management of flood risk, flood risk assessments, SuDs and climate change.

Planning Practice Guidance provides some additional guidance on this, it states in paragraph 41 (Reference ID: 41-041-20140306), '*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*' (ET Planning emphasis added)

We therefore consider that would be better to delete the requirement in full, which is already covered by existing policies. This would ensure that the policy is capable of meeting the basic conditions.

Policy W8: Local Green Spaces

Policy W8 proposes to designate a number of Local Green Spaces in the Parish. The policy states that proposals for development in a Local Green Space will only be supported in very special circumstances.

In providing this representation, we have chosen to comment only on Local Green Spaces which may affect the allocation as outlined in Policy W2, rather than all of the proposed designated Local Green Spaces. In this instance, the only LGS we have chosen to comment on through this representation is (iii) Grass Bank Kempson House/Old House of Policy W8.

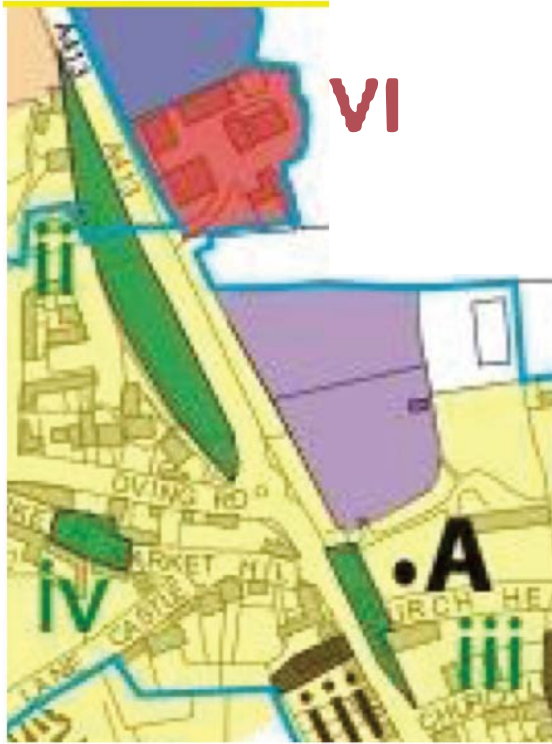


Fig 1: Proposed LGS iii) Grass Bank Kempson House/Old House of Policy W8 – Shown in green (to west of 'A')

The proposed Local Green Space designation is supported by an evidence base document named '*Green Space Designations in the village of Whitchurch*'.

The evidence base document is very brief and in terms of the site iii) Grass Bank it is referenced in a table that against the NPPF paragraph 102 it considers the site is:

- a) It is in close proximity
- b) Local in character and not extensive
- c) Special and local significance to the community (in relation to beauty and historic value only).

Test		3/ special and local significance to the community						
		1/ Close Proximity	2/ Local in character & not extensive	Beauty	Historic Value	Recreation Value	Tranquility	Wildlife
Site	Location							
i	Duck End Pond							
ii	Mount Pleasant Mound							
iii	Grass Bank Kempson House							
iv	Grass Bank & Verges Market Hill							
v	Wildflower Bank Oving Road							
vi	Green Circle Ashgrove Gdns							
vii	The Meadows Recreation Area							
viii	The Meadows Orchard Area							
ix	Jubilee Tree Triangle							
x	Whittle Hole Spring & Stream							
xi	Allotment Land Ashgrove Gdns							

Fig 2: Local Green Space assessment table

Furthermore, the proposed Local Green Space appears to comprise of hardsurfacing which is not suitable for designation. It is not considered that this would be demonstrably special to the local community or hold a particular local significance and therefore does not meet criterion c of paragraph 102 of the NPPF.



Fig 3: Site boundary of the LGS named (iii) Grass Bank Kempson House/Old House



Fig 4: Photograph of the proposed Local Green Space

In addition, it is not considered to meet the Planning Practice Guidance, which states in paragraph 41 (Reference ID: 41-041-20140306), '*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*' (ET Planning emphasis added).

In addition, this proposed Local Green Space designation is also likely to conflict with Policy W2: Housing Allocation – Land at Kempson House West notably the criterion relating to highways and safe access (criterion ii - iv) which require the housing allocation to '**demonstrate safe and convenient access for pedestrians and services off the A413** and vehicular access made from a single access point off the A413 in a location which is acceptable to the Highways Authority, and the scheme provides for traffic management measures that are required by the Highways Authority'.

One way in which the requirement in bold could be met is through the provision of a footpath link south from the Site (as part of the delivery of the allocation) to connect with the existing footpath and to the local bus stop. However provision of this could lead to a conflict with this proposed Local Green Space designation, as it would involve development over the designation.

In summary, it is not considered that (iii) Grass Bank Kempson House/Old House should be designated as a Local Green Space in the Parish based on several factors, most notably its potential conflict with Policy W2: Housing Allocation – Land at Kempson House West.

The deletion of this proposed LGS would ensure that the policy is capable of meeting the basic conditions.

Summary

Thank you for providing us with the opportunity to comment on the Regulation 16 Whitchurch Neighbourhood Plan.

Our clients commend the work which has been taken by the Neighbourhood Plan Steering Group to date.

We support the inclusion of our clients site Land at Kempson House West within Policy W2: Housing Allocation – Land at Kempson House West and within the settlement boundary as defined by Policy W1: Settlement Boundary.

Whilst we continue to support the Neighbourhood Plan, we do have outstanding concerns relating to the wording of the policies of Policy W2: Housing Allocation - Land at Kempson House West and the inclusion of site

(iii) Grass Bank Kempson House/Old House of Policy W8: Local Green Space.

We hope that our comments are taken into account by the Independent Examiner and we look forward to seeing the progression of the Neighbourhood Plan.

Yours faithfully,

Robyn Milliner BA (Hons) MSc MRTPI

Principal Planner | ET Planning

200 Dukes Ride Crowthorne RG45 6DS

robyn.milliner@etplanning.co.uk 01344 508048

David Wetherill BA (Hons) MSc MRTPI

Associate Director | ET Planning

200 Dukes Ride Crowthorne RG45 6DS

david.wetherill@etplanning.co.uk 01344 508048

Contact details

We need to ask for your name and address because planning law states that we cannot accept anonymous comments.

The information you provide here will only be used for the purpose of this consultation and will be stored securely in line with data protection laws. No personal information will be shared or published.

4. Full name*

RAY COCHRANE

5. Address*

If you are a resident, this is your home address. If you are an agent or organisation this is your business address.

A large black rectangular redaction box covering the address field.

6. Would you like to be notified of future progress with the Neighbourhood Plan?

Please tick (✓) one option

Yes

No

7. What is your email address?

If you provide your email address and have asked to be notified of progress with the Neighbourhood Plan, we will contact you by email.

A black rectangular redaction box covering the email address field.

Your views

8. Please indicate whether you support or object to the submitted Neighbourhood Plan:

Please tick (✓) one option

- I support the submitted Plan but do not wish to make any comments or suggest changes (End of survey)
- I support the Neighbourhood Plan and would like to provide comments or suggest changes (Go to question 9)
- I object to the Neighbourhood Plan and will provide comments and evidence to explain my reasons (Go to question 9)

Your comments

Any comments you make in this section will be made available to the public on our website, as required by law. It is very important you don't include any personal details in your comments.

9. Please provide your comments, suggested changes or reasons for objecting:

If you comment on specific sections of the Neighbourhood Plan, please make it clear which sections these are.

If you have evidence to support your comments, please send it to us by email or post.

What is your interest in this consultation? - I What is your full name? - Name
Resident Helen Campion
Resident Lucy Earl
Resident Paul Smith
Resident Mandy Sanderson

Please indicate whether you support or object to the submitted Neighbourhood Plan. - Support/Object
I support the submitted Neighbourhood Plan but do not wish to make any comments or suggest changes
I support the submitted Neighbourhood Plan but do not wish to make any comments or suggest changes
I support the submitted Neighbourhood Plan but do not wish to make any comments or suggest changes
I support the submitted Neighbourhood Plan but do not wish to make any comments or suggest changes

Please provide your comments, suggested changes or reasons for objecting. - Comments
Not Answered
Not Answered
Not Answered
Not Answered