

Comment

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1. Do you consider the Local Plan Review is legally compliant?

Please see the guidance note for an explanation of what 'legally compliant' means

No

Please give reasons for your answer

The 2021 Environment Act states that by the end of 2023, all new developments in England are meant to be providing a 10% biodiversity net gain.

This means that, before any development begins, there is a legal requirement for WBC to submit a **biodiversity net gain plan** to measure the existing and proposed biodiversity values of the sites.

The SP17 Northeast Thatcham site has a much higher biodiversity range than the WBC might appreciate. There are ponds and woodland areas within the site but there no firm plans within the LPR to retain or protect these (the ponds are natural habitats to dragonflies, bullrushes, pond weed, freshwater snails, coots, and moorhens etc) and woodlands (which are homes to muntjac deer, badgers, hedgehogs, nesting red kites and woodpeckers).

Furthermore, there is no plan to offset the carbon and methane produced during construction (through tree-planting) or for the developers to pay a carbon offset price (Southwark Council use an offset price of £1,800 per tonne). Also, massive carbon sinks will be lost through the replacement of soils and woods with over two square kilometres of concrete and tarmac.

2. Do you consider the Local Plan Review is sound?

Please see the guidance notes for an explanation of what 'soundness' means.

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF).

Please tick all that apply:

Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development. . No

Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. . No

Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground. . Yes

Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF. . No

Please give reasons for your answer

The LPR is unsound because:

- 1 **Inconsistent with national policy.** The **National Planning Policy Framework** (page 50), 'Section 15: Conserving and enhancing the natural environment') states clearly that '*Planning policies and decisions should contribute to and enhance the natural and local environment*' by: protecting and enhancing landscapes, biodiversity and soils; recognising the intrinsic character and beauty of the countryside; minimising impacts on and providing net gains for biodiversity and establishing resilient ecological networks; improving local environmental conditions such as air and water quality; and remediating and mitigating degraded and contaminated land. **Policy SP17 contravenes all of these.**

This LPR is unsound because, with regard to the SP17 Northeast Thatcham Strategic Site, it is inconsistent with ALL of the above five points in the NPPF.

The rationale for declaring the LPR unsound is:

- . Rather than protecting and enhancing landscapes, the LPR aims to destroy valued scenic landscape and biodiversity; and plans to replace soils (carbon sinks) with buildings, concrete, and tarmac.
- . The LPR bypasses the intrinsic character and beauty of the countryside and overrides the economic benefits of versatile agricultural land, trees and woodland.
- . The LPR prevents net gains for biodiversity by eliminating large areas of meadow and smaller areas of woodland and wetland habitat.
- . The SP17 development will degrade local environmental conditions such as air and water quality and drainage leading to surface runoff and possible flooding.
- . The LPR does nothing to remediate and mitigate degraded, derelict or contaminated land and instead it destroys agricultural land, woodland and wetland habitats.
- . **There is no reference to an Ecological/Biodiversity plan within the LPR to include wildlife corridors and buffer zones at SP17.** This is a legal requirement. There are no firm plans to retain local ponds (which are within the site periphery and are natural habitats to dragonflies,

bullrushes, pond weed, freshwater snails, coots, and moorhens) and woodlands (which are homes to muntjac deer, badgers, hedgehogs, nesting red kites and woodpeckers). These will be impacted or destroyed when construction starts because the SP17 site impinges on these habitats and there is no buffer zone and no plan to prevent their loss or to provide for future monitoring.

There is no reference within the LPR to compile a 'Net Zero Carbon' report detailing carbon and methane emissions during the construction (from brick, concrete, steel, and tarmac manufacture, and construction vehicle emissions). This should include a detailed account of how these carbon emissions will be offset so that the site becomes carbon neutral. (The offset would need to cater hundreds of thousands of tonnes of CO₂-equivalent emissions).

Given the UK is one of the least biodiverse countries in Europe, there is no mention in the LPR how legally-required biodiversity net gain will be achieved? The Sustainability Charter establishing how 'policy requirements will be achieved' has not been compiled.

2). **Inconsistent with achieving sustainable development.** The LPR is **inconsistent** with WBC's own **Core Strategy (2006 - 2026)**. The West Berkshire Core Strategy (2006 - 2026) Development Plan (page 99) states that the Housing Growth Plan will: 'deliver at least 10,500 homes across West Berkshire between 2006 – 2026 in a manner which will **maximise the use of brownfield land and access to facilities and services**'.

The SP17 Thatcham NE development is planned for a **greenfield, not brownfield** site. There are no cost or impact assessments available to show which brownfield sites were selected and why they were eliminated.

Decisions to build on any greenfield land should be subject to stringent safeguards because the UK has the lowest levels of biodiversity and lowest proportion of greenfield land per square kilometre of anywhere in Europe. Building on open countryside adjacent to an AONB would be severely detrimental for existing and future communities, animals, and plants in the county.

3). **Lord Deben** (Chairman of the UK Independent Committee on Climate Change) stated in January 2023 that '*planning laws should assert that every decision should be made with climate and sustainability in mind*' (BBC 'Rethinking Climate').

I would assert that West Berks Council in its SP17 Thatcham NE development proposal is not aligned with Lord Deben's statement in that WBC has given **no thought** to climate and/or sustainability. WBC needs to produce a 'Net Zero Carbon' report detailing all CO₂ equivalent emissions expected to be generated during the construction (from materials - brick, concrete, steel, and equipment) with a detailed account of how these emissions will be offset.

WBC needs to produce an Ecological/Biodiversity plan within the LPR outlining plans for 500 metre-wide buffer zones against the AONB, wildlife corridors, and firm plans for retaining and monitoring ponds and woodland immediately adjacent to the site so they are not preserved and damaged and how a providing net gains for biodiversity will be achieved. Monitoring and mitigation plans need to be 'SMART'.

4). The Thatcham NE development takes absolutely **no account** of the following:

- 1 Carbon-Offset. GHG emissions from construction and building materials including houses, roads and driveways would conservatively require offset of 200,000 to 500,000 thousand tonnes of CO₂-equivalent emissions. This could be mitigated by planting over 8 million mature trees^{1,2}.
There is no mention of a plan to carry out this level of carbon offset. Furthermore, there is no plan for the developers to pay a carbon offset price for the carbon generated by their material and equipment during construction (Southwark Council use an offset price of £1,800 per tonne).
- 2 Significant biodiversity loss and habitat fragmentation in an area already under threat.
- 3 Scenic landscape destruction impinging on an Area of Outstanding Natural Beauty.
- 4 Bucklebury Common is a fragile woodland and heath infrastructure. Siting 1,500 to 2,500 homes immediately adjacent to this fragile environment and allowing it to be part of a 'community park' would cause significant degradation to the wildlife pollution and risk the probability of forest fires during the hot summers (as there were in 2022).
- 5 Likely subsequent further residential and industrial sprawl along the A4 towards Reading (as has happened on the A34 north of Newbury following construction of the Vodafone HQ on a greenfield site).
- 6 Massive loss of local carbon sinks through the destruction of the soils, meadows, wetlands, and woodlands;

- 7 Increased surface runoff into the Kennet River valley and flooding risk to parts of Thatcham caused by the planned SP17 development through removal of soils and replacement with houses and tarmac;
- 8 Increased traffic and vehicle pollution on the A4 to Reading and Harts Hill Road;
- 9 A biodiversity and wildlife 'buffer' zone (of at least 500 metres) between the Thatcham NE development and the AONB to give some opportunity for wildlife to thrive and provide at least an element of local carbon-sink.

5). **The SP 17 is not justified in that it has not demonstrated that it has taken into account reasonable alternatives.** It has not been demonstrated that WBC considered any alternative uses for the SP17 land which were ecologically and environmentally beneficial to the community and to biodiversity. Alternative examples might have been using the land as a country park or site for a modest-sized wind farm or solar farm. It appears someone has essentially looked at a map to say where can we fit a couple of thousand houses? Rather than considering sustainable alternatives for the land without destroying the landscape.

Please give reasons for your answer

Given the Duty to Cooperate places a legal duty on WBC to engage actively and regularly with the community with respect to the LPR, it remains to be seen how, going forward, the WBC considers the views and acts on the recommendations of those who oppose the LPR SP17 Policy.

So far the LPR complies with the Duty to Cooperate in that it is available for consultation. But the plan is missing a good deal, so hopefully recommendations will be acted upon and there will be opportunities for continued engagement with the Bucklebury community rather than the plan being steamrolled by local council or government.

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

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

- 1 The LPR is not legally complaint because the 2021 Environment Act states that by the end of 2023, all new developments in England are meant to be providing a **biodiversity net gain plan** to measure the existing and proposed biodiversity values of the sites. The so-called 'Sustainability Charter' has not been issued. There is no record of the number of species on and adjacent to, the site nor any plan for monitoring those during construction to ensure they are not damaged. **A Biodiversity Net Gain Plan, a Sustainability Charter, and an Environmental Impact Assessment for SP17 need to be issued by WBC ahead of the LPR.**
- 2 There is no probability of a biodiversity net gain because SP17 is a **greenfield** site. Building on open countryside adjacent to an AONB would be severely detrimental for existing and future communities, animals, and plants in the county. More likely there will be a significant biodiversity loss in an area already under threat. The **Biodiversity Net Gain Plan** needs to explain how this will be mitigated and monitored and by whom? (with **SMART** - Specific, Measurable, Achievable, Realistic and Time-bound objectives).
- 3 There is no reference within the LPR to the generation of a 'Net Zero Carbon' report detailing carbon and methane emissions (from brick, concrete, steel, and tarmac manufacture, and construction vehicles) during construction. Furthermore, there is no plan to offset the carbon and methane produced (through tree-planting) or proposal for the developers or WBC to pay a carbon offset price (Southwark Council use an offset price of £1,800 per tonne). **WBC needs to issue a 'Net Zero Carbon'** report detailing emissions, mitigation and offset.
- 4 **This LPR is unsound** because, with regard to the SP17 Northeast Thatcham Strategic Site, **it fails on all the points in the National Planning Policy Framework** (page 50), 'Section 15: Conserving and enhancing the natural environment'. It is *inconsistent* with the NPPF on protecting landscapes, biodiversity and soils; recognising the intrinsic character and beauty of the countryside;

- providing net gains for biodiversity; establishing resilient ecological networks; improving air and water quality; and mitigating degraded land.
- 5 There needs to be an Ecological/Biodiversity plan within the LPR to include **500 metre wildlife corridors** and **green buffer zones** surrounding the site (between the site and the development and through the site).
 - 6 During 2022 there were several heathland fires on Bucklebury Common (a fragile heathland ecology) and the trend towards hotter summers is continuing. Locating 4,000 residents immediately adjacent to the Common would increase the risk of woodland fires caused by unwitting passers-by. WBC has not referenced this in its LPR. WBC needs to generate a report, **in conjunction with Royal Berkshire Fire and Rescue Service**, assessing the fire risk, and how this will be mitigated.
 - 7 The West Berkshire Core Strategy (2006 - 2026) Development Plan (page 99) states that the Housing Growth Plan will: 'deliver at least 10,500 homes across West Berkshire between 2006 – 2026 in a manner which will maximise the use of brownfield land and access to facilities and services'. The SP17 Thatcham NE development is planned for a greenfield, not brownfield site. Therefore, **the LPR is inconsistent with WBC's own Core Strategy (2006 - 2026)**.
 - 8 Lord Deben (Chairman of the UK Independent Committee on Climate Change) has stated that 'planning laws should assert that every decision should be made with climate and sustainability in mind'. West Berks Council in its SP17 Thatcham NE development proposal has given virtually no thought to climate and sustainability. **This needs to be addressed**.
 - 9 No account has been taken of the loss of local carbon sinks through the destruction of the soils, meadows, wetlands, and woodlands within the SP 17 area. **This need to be addressed in the EIA**.
 - 10 The WBC needs to generate a report detailing how it would plan to **limit further residential and industrial sprawl along the A4** towards Reading (as has happened on the A34 north of Newbury following construction of the Vodafone HQ on a greenfield site). Or is further urban sprawl part of the plan?
 - 11 **WBC needs to demonstrate that it has considered alternative uses for the SP17 land** which are more ecologically and environmentally beneficial to the community and biodiversity. For example, did they consider a country park or modest-sized wind or solar farm? A report needs to be generated detailing the alternatives considered for the land.
 - 12 To counteract the increased traffic and vehicle pollution on the A4 and Harts Hill Road, and in line with the Government's 2021 Zero Emissions strategy, WBC needs to issue a plan for the use of Zero Emission Vehicles on the site.

I personally think that it is a terrible shame that WBC would even consider the SP17 greenfield area for development and it reflects quite poorly on its decision-making process. These meadow, woodland, and pond landscapes are becoming scarcer and scarcer in a country that is already low in biodiversity and scenic landscape. Future generations would not thank WBC for sanctioning such a degradation of the landscape.

6. Notification of Progress of the Local Plan Review

Do you wish to be notified of any of the following?

Please tick all that apply

The submission of the Local Plan Review for Independent Examination

The publication of the report of the Inspector appointed to carry out the examination

The adoption of the Local Plan Review

Attached file 1

[PS145 Richard Ember attachment.pdf](#)



Thatcham NE Development of 2,500 new homes on greenfield land – it would be impossible to develop the site as planned without bulldozing this beautiful area of woodland and water.



Proposed site for Thatcham NE Development of 2,500 new homes on greenfield land – beautiful pond with bullrushes and dragonflies

Figure 3: Dragonflies and bullrushes at a pond designated for destruction.



Proposed site for Thatcham NE Development of 2,500 new homes on greenfield land – beautiful pond with bullrushes and dragonflies

