



Planning Policy Team  
Development and Planning  
West Berkshire District Council  
Market Street  
Newbury  
RG14 5LD

2<sup>nd</sup> March 2023

Dear Sir / Madam,

**West Berkshire Local Plan Review 2022-2039: Proposed Submission Version – Consultation representations**

Rectory Homes welcomes the opportunity to comment on the Regulation 19 (proposed submission) version of the Review to the West Berkshire Local Plan (January 2023) and wishes to make a number of representations as set out below.

Established in the 1990s, Rectory is a small-medium sized housebuilder operating in Oxfordshire, Buckinghamshire, Berkshire and the wider Home Counties. Our focus is on small to medium sites in towns and villages and we specialise in high quality housing developments built to reflect the local vernacular using locally sourced natural and sustainable materials.

We have an interest in the existing and emerging planning policies for West Berkshire District having secured land options for a number of sites within the District. Small sites are extremely important in rural areas such as West Berkshire, especially as they can be delivered quickly; small schemes generate little adverse impact and can deliver a range of positive benefits to local communities.

The Government's continued objective to increase the amount of housing delivered by small and medium sites is clear and the important contribution that such sites can make to meeting the housing requirement of an area is reflected in the NPPF.

Our representations are as follows:

**Duty to co-operate**

As part of the supporting evidence to the emerging Local Plan Review, the Council have provided a signed statement of common ground with the other Berkshire authorities of: Reading Borough Council; Bracknell Forest Council; Royal Borough of Windsor and Maidenhead Council; Slough Council and Wokingham Borough Council. The statement further confirms that there is unmet housing need arising from Reading Borough Council. Despite acknowledging that housing needs and supply are a cross-boundary issue, no Council within the West Berkshire Housing Market Area have committed to delivering this shortfall within their authoritative boundaries.

This unmet need is relatively small therefore there is no reason why these homes could not be delivered within the wider West Berkshire HMA. Given the lack of commitment to accommodate these homes, it is clear that there has not been effective cooperation between the relative authorities.

Registered Office as below. Registered in England No. 2575047

**rectory.co.uk**

Rectory Homes Limited, Rectory House, Thame Road, Haddenham, Buckinghamshire HP17 8DA  
Telephone: 01844 295100 Email: sales@rectory.co.uk

### **Policy SP3: Settlement Hierarchy**

Whilst we generally agree with the strategic approach to development in the District as outlined in the settlement hierarchy and Policy SP3, the circumstances in which development on windfalls sites is deemed to be acceptable in the rural service centres and service villages continue to be unduly restrict. 'Infill' sites and change of use within the settlement boundary are not typically of the scale that will require the delivery of affordable housing. Whilst the policy criteria refer to rural exception affordable housing schemes as acceptable development in these tier settlements, there is no certainty that such sites will be delivered. In our experience, landowners are much less willing to release their land for rural exception schemes given the typically lower land values.

We consider a more successful approach to secure the delivery of affordable tenure homes within these settlements is through the provision of a market-led housing scheme with policy-compliant on-site affordable housing deliver. The criteria of Policy CP3 as currently drafted will not facilitate the delivery of such schemes however. We therefore suggest a further criterion is added to the policy that permits the delivery of suitable sites on the edge of settlements (outside of the settlement boundary) but which accord with the settlement pattern, is commensurate in scale to the settlement and which will have limited adverse impacts on the character and appearance of the area. This is a positive, proactive and a more realistic approach to securing much needed affordable housing within the more rural settlements.

It is also unclear what the Council's position on 'infill' development is as this is not clearly defined within Policy CP3. Many different LPAs have differing positions on the definition of 'infill' sites and 'infill' development. There is a description of what constitutes 'infill' development at Policy DM1 which refers to residential development in the open countryside, but not in the context of sites within the settlement boundary or defined Rural Service Centres or Service Villages. For clarity, the term 'infill' should be defined within Policy CP3 so that applicants are clear which sites would meet this definition.

### **SP5: Responding to Climate Change**

Since the previous iteration of the Local Plan Review, part c) has been added to the policy requiring all development to achieve net zero carbon operationally. Whilst it is clear that there is a transition towards zero carbon development, and rightly so, this transition will not happen instantaneously. It will take the development industry, including building suppliers, materials and technical design specifications, a period of adjustment to ensure the processes and products are in place to successfully facilitate zero carbon development nationally.

It is our position therefore that the most effective way of achieving more energy efficient housing is through the application of building regulations and implementation of the Future Homes Standard. This provides a clear and universal set of requirements providing certainty to developers from the outset.

We maintain our objection to the requirement of Policy SP5 for all development to achieve the highest viable levels of energy efficiency (part d) as such an approach will require a viability assessment to be submitted with every planning application, leading to further delays due to negotiations regarding what level of efficiency can be achieved. The planning process already takes a considerable amount of time and it is our experience that even small-scale developments can take in excess of a year to be determined. The requirement for a viability assessment to assess the maximum energy efficiency

measures that can be provided will delay the timescales of planning applications from date of submission to determination further.

Whilst Rectory Homes are committed to responding positively to climate change and we strive to make improvements to the efficiency of our development schemes where possible, the requirements under Policy SP5 as drafted provides no certainty to the applicant or the decision maker as to what is expected. This is contrary to Paragraph 16 of the NPPF which requires local planning policies to be unambiguous.

In light of the above, parts c) and d) are unsound as they are not consistent with the Framework relating to technical building standards.

### **SP7: Design Quality**

We support the amendments which streamline the policy including removal of a long list of separate design criteria. We agree that development proposals should refer to the National Design Guide, National Design Codes, or any local design guidance documents when seeking advice during the initial design phase of a scheme. As long as the adopted design guides are clear and justified in terms of the advice that is presented, it is considered this is a more effective way of assessing development proposals. This will also assist the Government's ambition to streamline local plans.

### **SP12: Approach to Housing Delivery**

Rectory Homes have a number of concerns regarding Policy SP12 as currently drafted and also the evidence supporting the policy. Firstly, the policy sets a range of homes to be delivered within the Plan period of between 8,721-9,146 new dwellings. It is therefore unclear what is the minimum housing requirement to be delivered through the Plan. The housing requirement should be presented as a single figure so that decision makers are aware what is the minimum requirement when determining accurately the housing land supply position within the District.

Secondly, as highlighted earlier within these representations, there is an identified unmet housing need from Reading Borough Council that is not currently accounted for within the emerging local plans for any other LPAs within the wider West Berkshire HMA. The unmet need from Reading Borough Council amounts to 230 dwellings which is a relatively low level to be accommodated elsewhere within the HMA. The emerging Bracknell Forest Local Plan has already been through examination in public and is proceeding towards main modifications which will secure the adoption of the Plan. The Plan does not allocate any additional sites to accommodate the unmet need from Reading Borough Council.

This unmet need will therefore have to be met either within the emerging West Berkshire Local Plan Review or the emerging Wokingham Borough Local Plan. The Council have halted preparation on the emerging Wokingham Borough Local Plan whilst the proposed changes to national planning policy (NPPF3) are subject to consultation. As such, at this stage there is no indication that the unmet need will be met within the emerging Wokingham Borough Local Plan. To ensure Reading Borough Council's unmet need is met, West Berkshire Council and Wokingham Borough Council should provide a memorandum of understanding committing to deliver these homes through either one individual local plan, or a combination of the two.

Thirdly, based on the Council's anticipated trajectory of housing supply, upon expected adoption of the Plan in 2024/25 the housing land supply will be marginal – allowing very little margin for any delays in deliverability. Currently, the Council are proposing to introduce a 5% buffer. However, given the possibility that the Plan may be out-of-date shortly after adoption, it is clear that a larger buffer should be incorporated to account for any unforeseen delays to the delivery of housing and therefore ensure the housing land supply remains greater than five years.

Fourthly, approximately 20% of the Council's supply is anticipated to comprise the delivery of windfall sites. This is based on a windfall allowance of 140 dwellings per annum. There is no certainty that this level of windfall sites will be delivered, particularly given the requirements for acceptable development on windfall sites outlined in Policy CP3 as currently drafted. As per our comments, we consider the criteria specified too restrictive to deliver a meaningful level of housing outside of the top tier settlements.

Paragraph 69 of the NPPF states local planning authorities should identify land to accommodate at least 10% of their housing requirement on sites no larger than a hectare in size. Whilst it is commendable that the Council are seeking to deliver a greater proportion of their supply on smaller sites beyond the minimum specified in the Framework, we are concerned that reliance on windfall sites alone to meet this requirement is not a reliable source of delivery. As a SME, the ability to secure the planning permission of and deliver schemes on small sites is crucial to the success and sustainability of our business. Due to their scale and low infrastructure costs, such sites can be delivered quickly to assist the Council's housing land supply position and can deliver tangible benefits to local communities, such as enhancing and maintaining the vitality of local services and facilities in accordance with Paragraph 78 of the NPPF.

It is our recommendation that more small and medium sized sites should be allocated for development within the emerging Local Plan in order to provide a more reliable source of housing delivery.

Finally, the proposed plan period spans 17 years from 2022 – 2039. Paragraph 22 of the NPPF states that strategic policies should look ahead over a minimum 15 year period from adoption. On the basis of a plan end of 2038/39, the Plan will need to be adopted by 2023/24. As the Council expect the Plan to be submitted for examination in Autumn 2023, based on a 12 month examination which is typical, the Plan would not provide a 15-year minimum strategy for West Berkshire. In this respect, we suggest that the Plan period is extended by a further year.

In summarising our comments on Policy SP12, we consider the policy to be contrary to Paragraphs 11, 16, 61 and 69 of the NPPF. For these reasons, the policy is unsound.

### **Policy SP13: Sites allocated for residential development in Newbury and Thatcham**

The policy has removed all previously allocated sites for development within the settlement of Cold Ash, in addition to removing or reducing the number of homes to be delivered at the allocations within Newbury. Given the conveyed concerns regarding the Council's approach to housing delivery, it is clear that additional sites will need to be identified for allocation in order to provide a Plan that is positively prepared and sound.

There are opportunities within this sub-area to provide a mix of additional large and small site allocations within the settlements of Newbury and Cold Ash to provide a robust strategy on housing deliver. This would also assist demonstrating compliance with Paragraph 69 of the NPPF through additional small site allocations.

**SP19: Affordable Housing**

The Policy does not accord with paragraph 64 of the NPPF which directs that affordable housing should not be sought on schemes of less than 10 dwellings if located outside of the designated rural areas. It is therefore unsound.

It should be made clear within the policy text that part b) of Policy SP19 only applies to development schemes on sites within the designated rural areas such as AONBs.

We trust you will consider the above representations and look forward to receiving your formal acknowledgement.

Yours faithfully



Steven Kerry MSc MRTPI  
Associate Planning Director

