
Adoption of the West Berkshire Local Plan Review (LPR) 2023-2041

Committee considering report:	Council
Date of Committee:	10 June 2025
Portfolio Member:	Councillor Denise Gaines
Date Head of Service agreed report:	07 May 2025
Date Portfolio Member agreed report:	21 May 2025
Report Author:	Paula Amorelli
Forward Plan Ref:	C4713

1 Purpose of the Report

- 1.1 Following receipt of the Inspector's Report on the Examination of the West Berkshire Local Plan Review 2022-2039 (as set out in Appendix D) the Council is asked to consider adoption of the West Berkshire Local Plan Review (as set out in Appendix E) and accompanying Policies Map (as set out in Appendix F).
- 1.2 The report makes clear that the Council is still under the Direction set out in the letter from the Minister of State for Housing, Planning and Building Safety dated 19th December 2023 (as set out in Appendix C) which requires the Council to consider adopting the West Berkshire Local Plan Review 2022-2039 (LPR), including any Main Modifications recommended by the Planning Inspector deemed necessary to make the Plan sound. The requirement was reaffirmed in a letter dated 25 April 2025 from the Minister of State for Planning and Housing (as set out in Appendix J).

2 Recommendation(s)

- 2.1 That Council resolves that:
 - 1) It is recognised that the Council is still under the Direction set out in the letter from the Minister of State for Housing, Planning and Building Safety dated 19th December 2023 (as set out in Appendix C) that requires the Council to consider adopting the LPR, including any Main Modifications recommended by the Planning Inspector deemed necessary to make the Plan sound.

- 2) The contents of the Inspector's Final Report (as set out in Appendix D) are acknowledged.
- 3) Adopts the West Berkshire Local Plan Review 2023-2041 (LPR) (as set out in Appendix E), which incorporates the Main Modifications as set out in the Inspector's Final Report, and other Additional (minor) Modifications (as set out in Appendix F).
- 4) Subject to recommendation 2, the West Berkshire Local Plan Review 2023-2041 replaces the West Berkshire Core Strategy 2006-2026 Development Plan Document (adopted July 2012), the Housing Site Allocations Development Plan Document (adopted May 2017) and the West Berkshire District Local Plan 1991 – 2006 (saved policies 2007 as amended in July 2012 and May 2017).
- 5) Subject to recommendation 2, to adopt the Policies Map (as set out in Appendix G) and publish alongside the West Berkshire Local Plan Review 2023-2041.
- 6) Subject to recommendation 2, to accept the content of the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Report (as set out in Appendix H) and Habitats Regulations Assessment (HRA): Addendum of Proposed Modifications (as set out in Appendix I) and publish them in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004.
- 7) Subject to recommendation 2, to give delegated authority to the Executive Director of Place in consultation with the Executive Portfolio Holder for Planning and Housing to agree any further Additional (minor) Modifications to the LPR and updates to its accompanying Policies Map, as appropriate, before publication.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>Budget was made available to resource the Local Plan Review Examination through 2024/25. It is estimated that the cost of preparation of a plan through to adoption is now in the region of £2million (not including officer time). The financial implications of not having an adopted Local Plan in place can exceed this should it become necessary for the Council to defend a number of applications through appeal which can be in the region of £250-£300k per major appeal.</p> <p>Should the Council decide not to progress in line with the Inspector's Final Report, Central Government may intervene to approve the plan. The Council must reimburse the Secretary of State for any expenditure he incurs in connection with this intervention.</p>
Human Resource:	<p>The Local Plan Review has been in development since 2018 and has involved significant input from across the Council as well as external expertise. It has been led by the Planning Policy team comprising of approximately 4.2 FTE professional officers as well as associated management support. Resources have also been required from across the Council to</p>

	<p>develop the policies and evidence base including Environment Delivery, Emergency Planning, Highways, Education, Legal, Infrastructure, Ecology, Public Health, Housing, Countryside and Development Management. Preparation of the evidence base and representation at the Examination Hearings required support from 7 specialist consultants as well as legal representation including Counsel.</p>
Legal:	<p>The Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to keep under review the matters which may be expected to affect the development of its area or the planning of its development.</p> <p>The legal implications have been set out within the report. The Direction dated the 19th December 2023 has not been withdrawn; therefore should the Council not follow the requirements of the Inspector, it is highly likely that MHCLG will intervene.</p>
Risk Management:	<p>There is a significant risk of government intervention should the Council decline to comply with the Inspector's Final Report. MHCLG cannot force the Council to adopt the Plan but has the power to approve the Plan which would then have the same weight as an adopted plan in decision making of planning applications.</p> <p>In the event that central government took over the Plan, the Council must reimburse the Secretary of State for any expenditure she incurs in connection with this intervention.</p> <p>Not having an adopted local plan will put the Council at risk of having to plan for the additional homes required by the new government housing methodology, increasing the housing need from 495 to 1070 per annum. It is likely that poor quality speculative planning applications would be granted at appeal with associated appeal costs and resourcing implications.</p> <p>One of the major risks is that if the Plan is not adopted or approved by central government, a planning application for North East Thatcham would be submitted without the policy requirement for a Masterplan Supplementary Planning Document to shape the development and infrastructure delivery through public consultation.</p> <p>If the plan is not adopted or approved by central government, the positive environmental policies within the Plan will not carry weight to secure high quality development.</p>

Property:	No Council owned property is directly impacted			
Policy:	As outlined in the report			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:	X			The full environmental Impacts have been considered through the Plans' Sustainability Appraisal and Strategic Environmental Assessment and have the potential to result in positive environmental impacts in some instances, arising from the policy requirements.
Health Impact:	X			There is the potential for increased opportunities for improved health indicators arising from the proposed additional homes and amenities.

ICT Impact:		X		None
Digital Services Impact:		X		None
Council Strategy Priorities:	X			Delivery of Priority Area 4 - a prosperous and resilient West Berkshire 4.D – Ensure that new housing development comes with suitable infrastructure and enhanced amenities.
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	Internal consultation has taken place with relevant teams including legal officers. The LPR has been consulted on in accordance with the statutory plan making process and the Council's Statement of Community Involvement.			

4 Executive Summary

- 4.1 On 8 April 2025 the Council received the Inspector's Final Report on the Examination of the West Berkshire Local Plan Review 2022-2039 (LPR) ("the Report"). The Report (as set out in Appendix D) was published on 25 April 2025. Receipt of the Inspector's Report completes the Examination of the LPR.
- 4.2 The Inspector concludes that with the recommended Main Modifications set out in his Report, the LPR satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and provides an appropriate basis for the planning of the District. He considers that the Duty to Cooperate, (which places a legal duty on the Council and other public bodies to engage constructively, actively and on an ongoing basis in the context of strategic cross boundary matters) and all other legal and regulatory requirements have been met and that the Plan is sound.
- 4.3 The recommended Main Modifications can be summarised as follows:
- The Plan period has been modified to be 2023 to 2041
 - The inclusion of a Key Diagram

- To reflect the extension of the Plan period the overall housing requirement has been modified to a minimum of 9,270 dwellings between 2023 and 2041 (an average of 515 homes per year) rather than 8,721 to 9,146 between 2022 and 2039 (513 to 538 homes per year).
- The housing land supply has increased to 9,493 homes between 2023 and 2041 (rather than 9,057 between 2022 and 2039) and there is confirmation that the Plan identifies a supply of specific, deliverable sites for five years following the intended date of adoption.
- Policy SP17 relating to the North East Thatcham strategic allocation has been modified to propose up to approximately 2,500 homes.
- The inclusion of four additional housing allocations at Pangbourne, Thatcham and Tilehurst
- Some modifications have been made to settlement boundaries at Chieveley, Newbury, Pangbourne, Thatcham and Tilehurst to ensure they are consistent with the Settlement Boundary Review criteria.
- The employment land requirement has been modified to a minimum of 57,531 sqm for offices and 98,196 sqm for industry and warehouses between 2023 and 2041 (rather than 50,861 sqm and 91,109 sqm between 2022 and 2039).
- Policy SP2 has been modified to protect the setting of the North Wessex Downs National Landscape (AONB).
- Policy SP4 has been modified to clarify the approach to managing development around the Atomic Weapons Establishments at Aldermaston and Burghfield
- The inclusion of an additional development management policy relating to RAF Welford and Denison Barracks.
- A number of other main modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

4.4 The Council is still under the Direction set out in the letter from the Minister of State for Housing, Planning and Building Safety dated 19th December 2023 (as set out in Appendix C) that requires the Council to consider adopting the LPR, including any Main Modifications recommended by the Planning Inspector deemed necessary to make the Plan sound. The requirement was reaffirmed in a letter dated 25 April 2025 from the Minister of State for Planning and Housing (as set out in Appendix J).

4.5 It is now for the Council to consider adoption of the LPR (as set out in Appendix E) and the approval of the Policies Map (as set out in Appendix G). At the same time, to also note the content of the final Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Report (as set out in Appendix H) and Habitats Regulations Assessment (HRA) (as set out in Appendix I) and to consider publishing them in

accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004.

- 4.6 Once adopted, the LPR becomes part of the Development Plan for the District. It then becomes an important consideration in the determination of all planning applications.

5 Supporting Information

Planning Context

- 5.1 In accordance with the Planning and Compulsory Purchase Act 2004 the Council is required to produce a local plan for its area. The planning system in England follows a 'plan led system' whereby national and local planning policy is set out in formal development plans (a term which can include 'local plans', 'core strategies' and 'neighbourhood plans'). Development plans are expected to be in conformity with the Government's planning policy which is set out in the [National Planning Policy Framework \(NPPF\)](#). Concise and up-to-date development plans should provide a positive vision for the future of an area; a framework for meeting housing needs and other economic, social and environmental priorities; and a way for local people to shape their surroundings. Planning applications must be decided in accordance with the development plan unless relevant considerations indicate otherwise.
- 5.2 In West Berkshire the current Local Plan plans for development up to 2026 and comprises of:
- [West Berkshire Core Strategy Development Plan Document](#) (DPD) (2006-2026) (adopted 2012)
 - [Housing Site Allocations Development Plan Document](#) (adopted 2017)
 - [West Berkshire District Local Plan 1991-2006](#) (Saved Policies)
- 5.3 The NPPF requires that a local plan is kept up-to-date and is reviewed every five years. Legislation also requires that a local plan should look ahead over a minimum 15-year period. Therefore, to ensure we meet these policy expectations, and the related legislative requirements, the Council has prepared the [West Berkshire Local Plan Review](#) (LPR). The intention is that, if adopted by the Council, the LPR will replace the three documents listed above.
- 5.4 In December 2024 the government published a revised version of the NPPF. There were some significant changes to policy and practice in relation to housing need and supply as it made changes to the standard method for calculating housing need.
- 5.5 The NPPF requires local planning authorities to show a five year supply of housing against the housing requirement set out in adopted strategic policies, or against their local housing need (LHN) where the strategic policies are more than five years old. As

the West Berkshire Core Strategy was adopted in 2012 and is more than five years old, the housing requirement for West Berkshire is therefore currently based on the LHN.

- 5.6 Using the revised standard method, the LHN for West Berkshire is 1,070 homes per annum, having increased from 495 homes per annum under the previous standard method and 515 under the emerging LPR. Given the significant increase in the housing requirement, the Council is not currently able to demonstrate a five year supply of deliverable housing, pending the adoption of the LPR. This means that the ‘tilted balance’ in the presumption in favour of sustainable development is then generally engaged.
- 5.7 However, it is important to note that the NPPF sets out transitional arrangements in relation to local plans that have reached a certain stage in their preparation. This means that if the Council decides to adopt LPR, the housing requirement, including for decision-taking / development management purposes, will reduce to 515 dwellings per year. At this point the Council would once again be able to demonstrate a five-year housing land supply.

West Berkshire Local Plan Review (LPR)

- 5.8 The LPR sets out how much development will be planned for and where in the District development will take place over the lifespan of the Plan and is supported by a significant evidence base. Work began on the LPR in 2018 and its production has been an iterative process subject to a number of stages of public consultation.
- 5.9 On 31 March 2023 the [LPR](#) was submitted to the Secretary of State for [independent Examination](#) by a Planning Inspector. Mr William Fieldhouse BA (Hons) MA MRTPI, was subsequently appointed by the Secretary of State to examine the Plan. The Inspector’s role is to examine the Plan as submitted: in our case the Plan as approved by Council on 1 December 2022. He is required to consider whether the submitted Plan has been prepared in accordance with the Council’s Duty to Cooperate (as required by the Planning and Compulsory Purchase Act 2004 (as amended)), other legal and procedural requirements and whether it is sound (i.e. positively prepared, justified, effective and consistent with national policy). If formally asked by the Council, he can then recommend Main Modifications to the submitted Plan to ensure its soundness and ask the Council to consult on those Main Modifications.
- 5.10 On 19 December 2023, following concerns that the Council might withdraw the LPR from Examination, the Minister of State for Housing, Planning and Building Safety intervened and sent a letter (as set out in Appendix C) directing the Council:
- not to withdraw the LPR from Examination;
 - on conclusion of the Examination, to publish the Inspector’s recommendations and reasons; and
 - to consider adopting the Plan, including any Main Modifications recommended by the Planning Inspector deemed necessary to make the Plan sound.

- 5.11 Officers were also required to regularly report to Ministry of Housing, Communities and Local Government (MHCLG) officials on the progress of the Plan. In January 2024 the Leader of the Council [replied](#) to the Minister expressing the Council's disappointment at the intervention, but confirmed the Council would not withdraw the Plan. The Examination continued to progress.
- 5.12 As is normal for any local plan, the content of the LPR evolved to some extent during the Examination and the Inspector gave Council officers the opportunity to suggest modifications to the Plan as part of that process. The Inspector held hearings sessions between 8 May and 3 October 2024 to discuss a number of issues upon which he required clarification. The purpose of the discussions was for the Inspector, the Council and other participants to gain the fullest possible understanding of any Main Modifications that might be required to make the LPR sound and legally compliant. Alongside this, the Council has also been able to make Additional Modifications to the Plan. These are minor, non-material changes only.
- 5.13 Following the hearing sessions, in December 2024, in accordance with section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended), the Council then [formally requested](#) that the Inspector recommended any Main Modifications necessary to rectify matters that made the LPR not sound and/or not legally compliant, and thus incapable of being adopted.
- 5.14 As required, the Council prepared a [Schedule of Proposed Main Modifications](#) and [Proposed Changes to the Policies Map](#) and updated the [Sustainability Appraisal/and Strategic Environmental Assessment](#) (SA) and [Habitats Regulations Assessment](#) (HRA). These documents were subject to public consultation for eight weeks between 6 December 2024 and 31 January 2025. A total of around 730 [representations](#) from around 270 representors were received during that period and were sent to the Inspector for consideration. The Council also prepared a [report](#) for the Inspector summarising the main issues raised in the responses and the Council's response to them. A [summary report](#) was also made available. These were all taken into consideration by the Inspector in the preparation of his Final Report.

Inspector's Report

- 5.15 On 8 April 2025 the Council received the Inspector's Final Report on the Examination of the LPR. The Report (as set out in Appendix D) was published on 25 April 2025. The delay in publication was (in accordance with the Code of Recommended Practice on Local Authority Publicity 2011) due to restrictions in place during the pre-election period for the Thatcham North East by-election held on 24 April 2025. Receipt of the Inspector's Report concludes the Examination of the LPR.
- 5.16 A summary of the key points set out in the Report in relation to both the legal compliance and soundness of the LPR is outlined below:

Legal compliance (pages 8 – 12 paragraphs 16 – 32)

- 5.17 The Inspector considers the Council's compliance with the Public Sector Equality Duty; the Duty to Cooperate; the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended); the requirement to prepare a Sustainability Appraisal/and Strategic Environmental Assessment (SA); and the requirement to undertake a Habitats Regulations Assessment (HRA).
- 5.18 The Inspector concludes that the Council complied with the Duty to Cooperate during the preparation of the Plan. He is also satisfied the SA complied with the necessary legal requirements, that it adopted a systematic approach based on proportionate, adequate evidence and was used by the Council to inform decisions about the content of the Plan, including which sites to allocate, having regard to reasonable alternatives. In paragraph 32 he makes clear that the Plan also complies with all other relevant legal requirements.

Assessment of Soundness (pages 12 – 74 paragraphs 33 – 308)

- 5.19 The Inspector identifies 12 main issues upon which the soundness of the Plan depends:
- 1) Are the amounts of housing, industrial and warehouse, and office development that the Plan identifies as being needed justified and consistent with national policy?
 - 2) Does the Plan set out an appropriate spatial strategy for West Berkshire, taking into account reasonable alternatives?
 - 3) Does the Plan contain appropriate strategic policies and set out an effective framework for the preparation of neighbourhood plans that is justified and consistent with national policy?
 - 4) Were the sites allocated in the Plan selected on the basis of adequate and proportionate evidence, and is the Plan justified by viability evidence consistent with national policy?
 - 5) Is policy SP17, relating to a strategic allocation at North East Thatcham, justified and consistent with national policy, and would it be effective in achieving sustainable development on the site?
 - 6) Is policy SP16, relating to a strategic allocation at Sandleford Park, justified and would it be effective in achieving sustainable development on the site?
 - 7) Are policies RSA1 to RSA23, relating to non-strategic housing allocations, justified and consistent with national policy, and would they be effective in achieving sustainable development on the sites?
 - 8) Does the Plan identify a sufficient supply and mix of housing sites consistent with national policy to ensure that the identified need for new homes can be met?

- 9) Are the policies in the Plan relating to the design, type and mix of new housing, including affordable homes, justified and consistent with national policy and will they be effective in meeting the needs of different groups in the community?
- 10) Will the Plan be effective in ensuring that the need for additional accommodation for Gypsies and Travellers, and Travelling Showpeople, can be met?
- 11) Are the policies in the Plan relating to economic development justified and consistent with national policy, and will they be effective in supporting economic growth?
- 12) Are the other strategic and development management policies in the Plan justified, consistent with national policy and effective?

5.20 The Report discusses each issue in turn and then sets out where it is necessary for the Submitted Plan to be modified (through Main Modifications) to ensure it is sound.

Summary of the Main Modifications

5.21 The key changes can be summarised as follows:

- The Plan period has been modified to be 2023 to 2041 (rather than 2022 to 2039)
- The inclusion of a Key Diagram
- To reflect the extension of the Plan period the overall housing requirement has been modified to a minimum of 9,270 dwellings between 2023 and 2041 (an average of 515 homes per year) rather than 8,721 to 9,146 between 2022 and 2039 (513 to 538 homes per year).
- The housing land supply has increased to 9,493 homes between 2023 and 2041 (rather than 9,057 between 2022 and 2039) and there is confirmation that the Plan identifies a supply of specific, deliverable sites for five years following the intended date of adoption.
- Policy SP17 relating to the North East Thatcham strategic allocation has been modified to propose up to approximately 2,500 homes (rather than 1,500) and to ensure the timely and coordinated provision of green, social and physical infrastructure and the achievement of sustainable development.

The Inspector noted that:

'Policy SP17 and Main Modifications to it, the site map and the reasoned justification have been subject to many objections from local residents, town and parish councils, local councillors and others. They were discussed at hearing sessions on 21 and 22 May, 26 June and 1 October 2024. However, the proposal is an essential part of the Plan and will make a substantial contribution to meeting the significant need for new market and affordable homes in the district over the coming years. The Main Modifications that I describe above set

out clear policy requirements and provide the Council with a range of mechanisms, including a masterplan supplementary planning document and design code, to ensure that the requirements can be met.'

- The inclusion of four additional housing allocations:

Site ref	Site name	Approx no of dwellings
CA12	Land at Henwick Park, Bowling Green Road, Thatcham	225
CA17	Regency Park Hotel, Bowling Green Road, Thatcham	45
PAN8	Land north of Pangbourne Hill, Pangbourne	25
TIL13	Land at Pincents Lane, Tilehurst	138

In relation to TIL13 Land at Pincents Lane, the Inspector noted that:

'It is clear from the many objections that have been made to planning applications to develop the site over the years, and the representations made by numerous local residents and their political representatives during the examination including in response to the proposed modifications, that there is significant community opposition to the proposal. However, the site represents a rare opportunity to provide a significant number of new homes on the edge of the Eastern Urban Area with good access to services and facilities in a highly constrained part of the district. The new homes will make a significant contribution to meeting the need for market and affordable housing, and the proposed policy will lead to the creation of a new community park with good walking and cycling links.'

- Some modifications have been made to settlement boundaries at Chieveley, Newbury, Pangbourne, Thatcham and Tilehurst to ensure they are consistent with the Settlement Boundary Review criteria.
- The employment land requirement has been modified to a minimum of 57,531 sqm for offices and 98,196 sqm for industry and warehouses between 2023 and 2041 (rather than 50,861 sqm and 91,109 sqm between 2022 and 2039).
- Policy SP2 has been modified to protect the setting of the North Wessex Downs National Landscape (AONB).
- Policy SP4 has been modified to clarify the approach to managing development around the Atomic Weapons Establishments at Aldermaston and Burghfield
- The inclusion of an additional development management policy relating to RAF Welford and Denison Barracks.
- A number of other main modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

- 5.22 The full Schedule of Main Modifications is set out in the Appendix to the Inspector's Report (Appendix D).

Overall conclusion

- 5.23 The Inspector concludes that with the recommended Main Modifications set out in his Report, the LPR satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and provides an appropriate basis for the planning of the District. He considers that the Duty to Cooperate and all other legal and regulatory requirements have been met and that the Plan is sound.
- 5.24 Appendix E sets out the text of West Berkshire Local Plan Review 2023-2041 considered sound by the Inspector. It incorporates the Main Modifications as set out in the Inspector's Final Report, and other Additional (minor) Modifications proposed by the Council (as set out in Appendix F).
- 5.25 With the inclusion of the Main Modifications, the LPR is now different from the Plan submitted for Examination in March 2023. As was expected, the content of the LPR has evolved to some extent as part of the Examination process. The Inspector gave the community and other stakeholders the ability to make representations through the Examination process and this involvement helped inform and shape the Main Modifications included in his Final Report.

Policies Map

- 5.26 The Council is required to geographically illustrate policies contained in the LPR on a Policies Map. As the Policies Map is not a Development Plan Document the Inspector is unable to recommend Main Modifications to it. If a decision is taken to adopt the LPR, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted Policies Map to include all the changes proposed in the Proposed Submission West Berkshire Local Plan Review 2022-2039 Policies Map; and the further changes which were published for consultation on 6 December 2024 alongside the Proposed Main Modifications, incorporating the additional amendment identified in the Inspector's Report. The Policies Map is set out in Appendix G.

Adopting the LPR

It is now for the Council to consider adoption of the LPR (as set out in Appendix E) and the approval of the Policies Map (as set out in Appendix G). At the same time, to also note the content of the final Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Report (as set out in Appendix H) and Habitats Regulations Assessment (HRA): Addendum of Proposed Modifications (as set out in Appendix I) and to consider publishing them in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Options

- 5.27 Taking into consideration the direction, which remains in force unless it is withdrawn by the Secretary of State, the choices available to the Council at this stage are restricted

to the binary options of (1) adopting the LPR (with Main Modifications) or (2) not adopting the LPR (with reasons). The Council is not entitled - as a matter of law - to make further Main Modifications. There is also no middle ground option of adopting parts of the Plan.

- 5.28 The Inspector's Report must be given strong consideration in the adoption decision. The merits of the Plan's policies and strategic site allocations are all matters that have been considered at depth through the Examination.

Option 1 –adopting the LPR (with Main Modifications)

- 5.29 There are a number of important benefits to adopting the LPR. Most importantly, the Council will have an up-to-date local plan in accordance with government requirements. This means it will be in the strongest possible position to defend against speculative and inappropriate development, particularly in the North Wessex Downs National Landscape. The Council will be able to apply positive planning policies in decision making to improve the overall quality of development across the whole of the District.
- 5.30 The Council will also be able to demonstrate it has a five year housing land supply. The LPR will speed up the delivery of new homes and where sites have been allocated, developers will be expected to submit policy compliant proposals. The Council will be able to prepare a Supplementary Planning Document to influence growth at North East Thatcham with the engagement of residents and stakeholders.
- 5.31 The LPR adds certainty to the planning process and gives greater clarity to all interested parties, including local communities and businesses, about where new development will take place. It also gives greater control to the Council over the location and quality of future development. If the Plan is adopted by the Council, it will then be able to move on to preparing the next plan aligned with this administration's strategic objectives.
- 5.32 The risks of taking a decision to adopt the LPR are low. The Plan (with Main Modifications) has been found sound by the Inspector. While the risk is low, it should be noted though that there is a six week window for an aggrieved party to challenge the decision to adopt the LPR by making an application to the High Court.

Option 2 – Not adopting the Plan

- 5.33 The risks are high in taking a decision not to adopt the LPR and there are a number of financial implications.
- 5.34 The Council could be challenged in the High Court and exposed to the risk of having to pay its legal costs as well and those of third parties.
- 5.35 The money and time that has been spent on the Plan since 2018 would have been wasted. This includes the costs of staff time, evidence base studies, consultation costs, examination costs and legal costs.
- 5.36 The Council's ability to control the location, quality of development and infrastructure provision secured through new development would be removed because there would

be no protection afforded by having an up-to-date local plan. This would lead to an increased risk of appeals. The financial implications would relate to the costs the Council would incur in defending decisions and possibly developers' costs awarded against the Council. Costs can be in the region of £250-£300k per major appeal.

- 5.37 Sites that were deemed acceptable for development in the Local Plan are likely to come forward with planning applications anyway. As the current evidence base for the LPR supports these proposals in principle, it would be difficult for the Council to substantiate refusal against the principle of development. The LPR evidence base remains valid, as do the conclusions in the Inspector's Report. There is therefore a risk of the evidence being used successfully by developers at appeal.
- 5.38 A planning application for North East Thatcham would be submitted without the policy requirement for a Masterplan Supplementary Planning Document to shape the development and infrastructure delivery through public consultation.
- 5.39 The positive environmental policies within the Plan would not carry weight to secure high quality development.
- 5.40 The Council would not have a five year housing land supply and the tilted balance in favour of sustainable development would be engaged. A likely increase in poor quality speculative applications in unacceptable locations would follow.
- 5.41 There would be a requirement to commence work immediately and more quickly on the development of a new Plan resulting in significant un-planned for expenditure this financial year. The total cost of a new plan is estimated to exceed £2m.
- 5.42 Finally, intervention by the Secretary of State. As set out in Section 27(5)(a) of the Planning and Compulsory Purchase Act 2004, the Secretary of State may 'approve the document, or approve it subject to specified modifications, as a local development document'. The Council must then reimburse the Secretary of State for any expenditure he incurs in connection with this intervention (although costs would be lower at this stage given the Plan has already been examined).

6 Conclusion

- 6.1 The Inspector examining the West Berkshire Local Plan Review 2022-2039 has concluded that the LPR provides an appropriate basis for the planning of the District, provided that a number of Main Modifications are made to it. The Council has specifically requested that the Inspector recommends any Main Modifications necessary to enable the Plan to be adopted.
- 6.2 The LPR was prepared for Submission to the Secretary of State over two years ago under the previous Council administration. It reflected the objectives of the Council at that time rather than the present Council's objectives. With the inclusion of the Main Modifications, the LPR is now different from the Plan submitted for Examination in March 2023. It is acknowledged that some Members may not support some parts of the Plan, but it should be noted that the Inspector gave the community and other

stakeholders the ability to make representations through the Examination process and this involvement has helped inform and shape the Main Modifications included in his Final Report.

- 6.3 If the Council resolves to adopt the West Berkshire Local Plan Review 2023-2041, the Plan will be formally advertised in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. This triggers a six-week period during which any person aggrieved by the LPR may make an application to the High Court under section 113 of the Planning and Compulsory Purchase Act 2004 (as amended) on the grounds that either:
- (a) The document is not within the appropriate power; or
 - (b) A procedural requirement has not been complied with.
- 6.4 Once adopted, the LPR becomes part of the Development Plan for the District. It then becomes an important consideration in the determination of all planning applications.

7 Appendices

Appendix A - Equalities Impact Assessment

Appendix B - Data Protection Impact Assessment

Appendix C - Letter from Minister of State for Housing, Planning and Building Safety dated 19 December 2023

Appendix D - Inspector's Final Report on the Examination of the West Berkshire Local Plan Review 2022-2039

Appendix E - West Berkshire Local Plan Review 2023-2041

Appendix F - Schedule of Additional (minor) Modifications to the West Berkshire Local Plan Review 2022-2039

Appendix G - Policies Map

Appendix H - Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) Report (including a non-technical summary)

Appendix I - Habitats Regulations Assessment (HRA): Addendum of Proposed Modifications

Appendix J - Letter from Minister of State for Housing and Planning dated 25 April 2025

Background Papers:

West Berkshire Local Plan Review 2022-2039 (as submitted)

West Berkshire Local Plan Review Examination website

Subject to Call-In: Yes: ☐ No: ☒

The item is due to be referred to Council for final approval ☒

Delays in implementation could have serious financial implications for the Council ☐

Delays in implementation could compromise the Council's position ☐

Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months ☐

Item is Urgent Key Decision ☐

Report is to note only ☐

Wards affected: All

Officer details:

Name: Paula Amorelli
Job Title: Team Leader- Planning Policy
Tel No: 01635 519233
E-mail: paula.amorelli@westberks.gov.uk

West Berkshire Council Equity Impact Assessment

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Section 1: Summary details

Directorate and Service Area	Place Planning and Housing
What is being assessed (e.g. name of policy, procedure, project, service or proposed service change).	The Council is asked to consider the adoption of the West Berkshire Local Plan Review 2023-2041 (LPR).
Is this a new or existing function or policy?	New
Summary of assessment Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community? (following completion of the assessment).	<p>The West Berkshire Local Plan Review (LPR) has been independently examined by a Planning Inspector. The Inspector considers the Council has complied with the Public Sector Equality Duty. He noted the Council's Equality Impact Assessment concluded that the Plan would have a positive impact on people with protected characteristics as defined in the Equality Act 2010. He had due regard to the aims expressed in section 149(1) of that Act in his consideration of several matters during the Examination including meeting the housing needs of the elderly, people with disabilities, and Gypsies and Travellers; and the provision of improved, and safe access to, open space, recreation, health, education, leisure, community and faith facilities.</p> <p>The Plan is inclusive of all members of the community and proposals do not discriminate against any protected characteristic.</p>
Completed By	Paula Amorelli

Authorised By	
Date of Assessment	30/04/2025

Section 2: Detail of proposal

<p>Context / Background</p> <p>Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.</p>	<p>The West Berkshire Local Plan Review (LPR) has been independently examined by a Planning Inspector and hearing sessions were held between 8 May and 3 October 2024 to discuss a number of issues upon which the Inspector required clarification. On 8 April 2025 the Council received the Inspector's Final Report on the Examination of the LPR. Receipt of the Inspector's report completes the Examination. The Inspector concludes that with the recommended Main Modifications set out in his Report, the LPR satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and provides an appropriate basis for the planning of the District. Once adopted, the LPR becomes part of the Development Plan for the District.</p>
<p>Proposals</p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	<p>The Council is asked to consider the adoption of the West Berkshire Local Plan Review (LPR) 2023-2041 so that the Council will have an up-to-date Local Plan in accordance with government requirements. This means it will be in the strongest possible position to defend against speculative and inappropriate development. The Council will be able to apply positive planning policies in decision making to improve the overall quality of development across the whole of the District for the benefit of all members of the community.</p>
<p>Evidence / Intelligence</p>	<p>The LPR is underpinned by a detailed and robust evidence base. The Examination hearing sessions were held between 8 May and 3 October 2024 to discuss a number of issues upon which the Inspector required clarification. The purpose of the discussions at the hearings was for the Inspector, the Council and</p>

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<p>List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.</p>	<p>participants to gain the fullest possible understanding of any Main Modifications that might be required to make the LPR sound and legally compliant. Public consultation on Proposed Main Modifications took place from 6 December 2024 to 31 January 2025. The Council prepared a report for the Inspector summarising the main issues raised in the responses and the Council's response to them. A summary report was also made available. These were all taken into consideration by the Inspector in the preparation of his Final Report.</p>
<p>Alternatives considered / rejected</p> <p>Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.</p>	<p>The Council may choose not to follow the recommendations of the Inspector. As set out in Section 27(5)(a) of the Planning and Compulsory Purchase Act 2004, the Secretary of State may 'approve the document, or approve it subject to specified modifications, as a local development document'. The Council must then reimburse the Secretary of State for any expenditure he incurs in connection with this intervention.</p>

Section 3: Impact Assessment - Protected Characteristics

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Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Policies within the LPR will have a positive impact on people of all ages. For example, it contains policies which seek to promote the provision of specialised housing for older people, as well as the provision of sustainable and alternative modes of transport which will improve accessibility for everyone, particularly older people who may rely on public transport. The Plan is inclusive of all members of the community.	N/A		

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Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Policies within the LPR will have a positive impact on those with disabilities as the LPR seeks to deliver well designed, accessible places for all.</p> <p>Development proposals will be required to promote, support and enhance positive mental and physical health and wellbeing and thus contribute to reducing health inequalities. The Plan is inclusive of all members of the community.</p>	N/A		
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The LPR seeks to deliver well designed development that reduces crime and improves safety. This should therefore have a particularly positive benefit for people who are more likely to be victims of crime, including people with this protected characteristic. The Plan is inclusive of all members of the community.</p>	N/A		

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Marriage & Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This group would not be affected.	N/A		
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The LPR seeks to ensure new development contributes towards the delivery of additional community and healthcare facilities and services which will be of benefit to pregnant people and people with young children. The Plan is inclusive of all members of the community.	N/A		

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Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The LPR seeks to deliver well designed development that reduces crime and improves safety. Its policies also promote the provision of new housing, including affordable housing, along within boosting job opportunities. In addition, the LPR will safeguard and provide additional pitches for Gypsies and Travellers which will be of benefit to this racial group. The Plan is inclusive of all members of the community.</p>	N/A		
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The LPR seeks to deliver well designed development that reduces crime and improves safety. This should therefore have a particularly positive benefit for people who are more likely to be victims of crime, including people with this protected characteristic.</p> <p>The Plan is inclusive of all members of the community.</p>	N/A		

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Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The LPR seeks to deliver well designed development that reduces crime and improves safety. This should therefore have a particularly positive benefit for people who are more likely to be victims of crime, including people with this protected characteristic.</p> <p>The Plan is inclusive of all members of the community.</p>	N/A		
Religion or Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The LPR seeks to deliver well designed development that reduces crime and improves safety. This should therefore have a particularly positive benefit for people who are more likely to be victims of crime, including people with this protected characteristic.</p> <p>The Plan is inclusive of all members of the community.</p>	N/A		

Section 3: Impact Assessment - Additional Community Impacts

Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Rural communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Policies within the LPR will have a positive impact on rural communities as the LPR seeks to promote sustainable growth within the District's rural areas, as well as to strengthen and diversify the rural economy.	N/A		
Areas of deprivation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The LPR seeks to deliver well designed places that deliver the infrastructure required to support developments.			

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Additional community impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner (*Job Title, Organisation)	Timescale and monitoring arrangements
Displaced communities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A			
Care experienced people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A			
The Armed Forces Community	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A			

Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review Date	N/A
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Person Responsible for Review	N/A
Authorised By	N/A

EDI employee related EQiA's should now be sent to Human Resources hrenquiries@westberks.gov.uk

Appendix B

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Development and Housing
Service:	Planning
Team:	Planning Policy
Lead Officer:	Paula Amorelli
Title of Project/System:	West Berkshire Local Plan Review
Date of Assessment:	30/04/25

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
Will you be processing SENSITIVE or “special category” personal data? <small>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be processing data on a large scale? <small>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will your project or system have a “social media” dimension? <small>Note – will it have an interactive element which allows users to communicate directly with one another?</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will any decisions be automated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Yes	No
Note – does your system or process involve circumstances where an individual's input is "scored" or assessed without intervention/review/checking by a human being? Will there be any "profiling" of data subjects?		
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using any novel, or technologically advanced systems or processes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Note – this could include biometrics, "internet of things" connectivity or anything that is currently not widely utilised		

If you answer "Yes" to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.