

## West Berkshire Council

### Proposed Submission Housing Site Allocations Development Plan Document

#### Representation form guidance note

#### Purpose of the consultation:

West Berkshire Council is preparing a Housing Site Allocations Development Plan Document (DPD) that will allocate housing sites and sites for Gypsies, Travellers and Travelling Showpeople. It will also include revised settlement boundaries for those settlements within the settlement hierarchy, a set of policies to guide housing in the countryside, and updated residential parking standards.

This formal consultation under Regulations 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012<sup>1</sup> represents the final opportunity for you to comment on the Housing Site Allocations DPD before it is submitted to the Secretary of State for Examination. However, anyone responding may have the opportunity to attend the examination hearings and request to take part in its discussions.

The following sections explain where to find the relevant supporting information and how to provide your views.

#### The Proposed Submission Documents

The Proposed Submission DPD is accompanied by supporting documentation and is informed by evidence. The Proposed Submission documents are available on the Council's website at

([www.westberks.gov.uk/hsapreferreddoptions](http://www.westberks.gov.uk/hsapreferreddoptions)), and include:

- Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) Environmental Report for Proposed Submission (October 2015)
- Proposed Submission Policies Map
- Consultation Statement (October 2015)
- Duty to Cooperate Statement (October 2015)
- Habitat Regulations Assessment (October 2015)

The evidence base documents can be viewed on the website at

[www.westberks.gov.uk/evidencebase](http://www.westberks.gov.uk/evidencebase). These include:

- Background Paper: Approach to the Housing Site Allocations Development Plan Document (October 2015)
- West Berkshire Gypsy and Traveller Accommodation Assessment
- Landscape Capacity Assessment of Potential Housing Sites within and adjacent to the North Wessex Downs AONB
- Transport Assessment
- Strategic Flood Risk Assessment

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<sup>1</sup> Town and Country Planning (Local Planning) (England) Regulations) 2012:  
<http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

## How to have your say

The consultation period starts on **Monday 9 November 2015** and in accordance with government regulations, closes at 5pm on **Monday 21 December 2015**. The Council is unable to accept responses made after this period. Only representations received within this period have a statutory right to be considered by the Inspector at the subsequent examination.

It should be noted that representations made to the Housing Site Allocations DPD preferred options consultation have already been taken into account in the production of the Proposed Submission DPD and will be submitted to the Inspector. Publication of the Proposed Submission document is a regulatory stage and any additional representations should relate specifically to the legal compliance and soundness of the document.

### Viewing the Housing Site Allocations DPD

The Proposed Submission Housing Site Allocations DPD can be viewed:

- Online at the Council's website: [www.westberks.gov.uk/hsaproposedsubmission](http://www.westberks.gov.uk/hsaproposedsubmission).
- At **West Berkshire Council, Market Street, Newbury, RG14 5LD** (8:30am – 5:00pm Monday to Thursday, and 8:30am – 4:30pm on Fridays).
- At **West Berkshire Council Customer Services Office, Sainsbury's Supermarket, Bath Road, Calcot, Reading, RG31 7SA** (9:30am – 4:30pm Monday to Friday, 9:30am to 12:30pm Saturdays).
- At all of the District's libraries and Tilehurst and Southcote libraries in Reading Borough during their normal opening hours.

### Submitting comments:

Responses to this consultation can be made online using the Council's Local Plan Consultation Portal: <http://consult.westberks.gov.uk/portal>. This is the easiest and most efficient way to submit your representations. You will need to be registered; please click on the 'Login/Register' button to log in or register your details. Additional guidance will be available on the Consultation Portal.

Alternatively representations can be submitted by completing a separate representation form for each part of the DPD on which you wish to comment. Each representation, including any comments on the SA/SEA or evidence base, should relate to an individual policy or section of the DPD. The form is available to download at: [www.westberks.gov.uk/hsaproposedsubmission](http://www.westberks.gov.uk/hsaproposedsubmission), and on request using the contact details provided below. Completed forms should be returned by email or post using these contact details. Part A of the representation form 'Your Details' must be completed for the representation to be registered.

Where there are groups who share a common view on how they wish to see the DPD changed, it would be very helpful for that group to send a single representation which represents that view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

**Please note that all submitted representations will be made publically available, including on the Council's website, with the person/organisation making the representation being identified.**

## Grounds for objection/support

In commenting on the Proposed Submission Housing Site Allocations DPD, you are asked to make representations on whether the Plan is (a) **legally compliant** and (b) **sound**. Following the submission of the DPD, an Inspector will undertake an examination to consider whether it meets these tests.

### *(a) Legal compliance:*

Legal compliance is judged against the requirements of Sections 19 and 20 of the Planning and Compulsory Purchase Act 2004 (as amended)<sup>2</sup>, including compliance with the Council's Local Development Scheme<sup>3</sup>, Statement of Community Involvement<sup>4</sup> and Sustainable Community Strategy<sup>5</sup>; and the Town and Country Planning (Local Planning) (England) Regulations) 2012<sup>6</sup>.

In addition, the Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) and a Strategic Environmental Assessment (SEA) to be carried out for all DPDs. Both of these appraisals can be carried out in one appraisal process. The objective of the SA is to promote sustainable development through the integration of social, environmental and economic considerations in the preparation of new or revised DPDs.

European legislation and government regulations mean that a Habitats Regulations Assessment (HRA) needs to be carried out for the DPD, in order to protect the integrity of internationally important nature conservation sites. The HRA assesses the likely impacts of the policies of the DPD and possible 'in combination' effects with other policies and proposals.

Under Section 110 of the Localism Act 2011<sup>7</sup> the Council also has a Duty to Cooperate with other local planning authorities and other prescribed bodies when preparing DPDs in order to address strategic planning issues relevant to their areas. Failure to satisfy this Duty will mean that plans cannot be adopted as an Inspector cannot remedy this through the examination process. The examination also assesses how effective cooperation has been as one of the tests of soundness.

### *(b) Soundness:*

The soundness of the DPD should be assessed against the following criteria from paragraph 182 of the National Planning Policy Framework<sup>8</sup>:

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<sup>2</sup> Planning and Compulsory Purchase Act 2014 (as amended):

<http://www.legislation.gov.uk/ukpga/2004/5/contents>

<sup>3</sup> West Berkshire Council Local Development Scheme: [www.westberks.gov.uk/lds](http://www.westberks.gov.uk/lds).

<sup>4</sup> West Berkshire Council Statement of Community Involvement (2014):

<http://info.westberks.gov.uk/CHttpHandler.ashx?id=38265&p=0>

<sup>5</sup> A Breath of Fresh Air: West Berkshire's Sustainable Community Strategy:

<http://info.westberks.gov.uk/CHttpHandler.ashx?id=35503&p=0>

<sup>6</sup> Town and Country Planning (Local Planning) (England) Regulations) 2012:

<sup>7</sup> Localism Act 2011 <http://www.legislation.gov.uk/ukpga/2011/20/contents>

<sup>8</sup> National Planning Policy Framework (NPPF): <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

**Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

If you are objecting to the DPD on legal compliance or soundness grounds, please explain your reasons and, where relevant, what changes you consider necessary to achieve legal compliance or soundness.

### **What happens next?**

Following the end of the consultation period, the Council will submit the DPD, accompanying evidence and all submitted representations to the Secretary of State, who will appoint an Inspector to undertake an examination. This submission is anticipated to take place in spring 2016, with the examination hearings taking place in summer 2016. Anyone stating in their response that they wish to participate in the examination will be notified of the arrangements.

The representation form also allows you to indicate if you wish to be kept informed of the submission of the DPD for independent examination, the publication of the Inspector's recommendations and/or the adoption of the Housing Site Allocations DPD.

### **Contact information**

If you require any further information on any aspect of the Housing Site Allocations DPD, or wish to submit comments by email or post, please use the following contact details:

Telephone: 01635 519111

Email: [planningpolicy@westberks.gov.uk](mailto:planningpolicy@westberks.gov.uk)

Post: Planning Policy Team  
Planning and Countryside  
West Berkshire Council  
Council Offices  
Market Street  
Newbury  
RG14 5LD

Website: [www.westberks.gov.uk/hsaproposedsubmission](http://www.westberks.gov.uk/hsaproposedsubmission)