
Stratfield Mortimer Neighbourhood Development Plan – Supporting Information

1. Introduction/Background

Neighbourhood Development Plans

- 1.1. Neighbourhood Development Plans (NDPs) enable local communities to decide the future shape of the places where they live. Prepared by Parish/Town Councils or a neighbourhood forum in unparished areas, they allocate land for development and establish general planning policies for development and the use of land in a neighbourhood area.
- 1.2. Draft NDPs must undergo consultation and independent examination. The independent examiner considers if the draft NDP meets each of a set of basic conditions which are as follows:
 - (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State.
 - (b) The making of the neighbourhood plan contributes to the achievement of sustainable development.
 - (c) The plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
 - (d) The making of the plan does not breach, and is otherwise compatible with, EU regulations.
 - (e) Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the neighbourhood plan.
- 1.3. The independent examiner will then recommend whether or not the NDP can proceed to the referendum stage, or if modifications should be made to the NDP before it proceeds to referendum.
- 1.4. If a NDP proceeds to referendum, and more than 50% of those voting in the referendum vote 'yes', then the NDP is brought into legal force and becomes part of the development plan whereby it is used to determine planning applications and guide planning decisions within the neighbourhood area.

Stratfield Mortimer NDP

- 1.5. Stratfield Mortimer Parish Council has prepared a NDP for Stratfield Mortimer Parish, and this was subject to independent examination between May and October 2016. The examiner recommended in his report dated 25 October 2016 (see Appendix C) that the plan should not proceed to referendum and this was based purely on there being no landscape evidence.

- 1.6. Because of the lack of environment evidence, he considered that the environment had not been fully considered when selecting a site to allocate and two of the basic conditions had therefore not been met – having regard to national policies and advice contained in guidance issued by the Secretary of State, and the making of the plan contributes to the achievement of sustainable development. National planning policy gives importance to social, economic, and environmental considerations, which together constitute sustainable development.
- 1.7. The examiner did however state that had it not been for the landscape issue, he would have recommended that the NDP, with modifications (see Appendix D), progress to referendum. It should be noted that the modifications are also set out within the examiner’s report.

Legal context

- 1.8. As part of the process for making NDPs, following the issuing of the examiner’s report, a local planning authority must consider the examiner’s report, decide which of the recommendations should be followed, and then publish its decision.
- 1.9. The relevant legislation which governs the process for making NDPs (Schedule 4b of the Town and Country Planning Act 1990) enables local planning authorities (LPAs) to propose to make a recommendation which differs from that recommended by the examiner as a result of new evidence. However, if LPAs do propose a different decision, they must set out the reasons for this and invite representations from ‘prescribed persons’.

New evidence

- 1.10. Stratfield Mortimer Parish Council made a request to West Berkshire District Council (WBDC) that they delay in making a decision on the Examiner’s report so that it and the NDP steering group could consider the report in further detail. Such a request is allowed in legislation (under Regulation 17A (4) and (5)(1) of the Neighbourhood Planning (General) Regulations 2012 (as amended)). Subsequently, the Stratfield Mortimer Neighbourhood Plan Steering Group informed WBDC via the Parish Council that they wished to commission detailed landscape work to overcome the Examiner’s concerns.
- 1.11. In January 2017, WBDC on behalf of Stratfield Mortimer Parish Council commissioned independent landscape assessment work (‘Landscape Capacity Assessment of Potential Housing Sites at Stratfield Mortimer’ – see Appendix E).
- 1.12. Five sites were considered within the assessment. Four of these were considered by the examiner in his October 2016 report:
- (a) Land at Kiln Lane (also known as Monkey Puzzle Field) (site ref: MOR001).
 - (b) Land adjoining West End Road (site ref MOR005).
 - (c) Land to the south of St. John’s Church of England School, off The Street (*the housing site allocated in the NDP*) (site ref MOR006).

It should be noted that the address of the site is referred to slightly incorrectly in the assessment (‘land to the south of St. John’s C of E

School, Victoria Road’). The address of the site that has been used was that given to the Council by the site promoter when the site was submitted as part of the Strategic Housing Land Availability Assessment.

(d) Land at north east corner of Spring Lane (site ref MOR008)

- 1.13. A fifth site (land north of Windmill Road and west of Brewery Common, site ref MOR009) was considered following a request through the preparation of the NDP to amend the settlement boundary in this area.
- 1.14. The report concluded that only sites MOR005, part of MOR006, and MOR009 are considered further as potential housing sites.
- 1.15. At a Full Council meeting of Stratfield Mortimer Parish Council on 9 February 2017, the following two motions were moved and agreed:
- (a) The Parish Council recommends that the WBDC rejects the Examiners recommendation as set out in his report dated 25 October 2016 and formally agrees that the Stratfield Mortimer Neighbourhood Development Plan proceeds to referendum following the analysis of the further evidence submitted by the Stratfield Mortimer Neighbourhood Planning Group.
 - (b) The Parish Council requests that WBDC make a decision regarding the Examiner’s Report into the Stratfield Mortimer Neighbourhood Development Plan by 10 May 2017 (in accordance with Reg 17A (4) and (5)(a) and 24A (4) and (5)(a) of the Neighbourhood Planning Regulations (General) 2012 (as amended)) to allow time for full consideration of the recommendations and issues raised in the report.
- 1.16. On advising WBDC of this, they also submitted a document that set out their response to the landscape assessment entitled ‘NDP – possible ways forward following the landscape study’ (see Appendix F). This document considered three options:
- (a) Recommend to WBDC that the original NDP go forward to referendum (with the phrase ‘up to’ 110 dwellings in place of ‘110’ dwellings as well as the examiner’s other modifications).
 - (b) Abandon the NDP.
 - (c) Revise the NDP (including new consultation and examination) to give the full 110 homes on one or more site(s).
- 1.17. It should be noted that this document was also presented at the Full Council meeting of Stratfield Mortimer Parish Council.

Officer proposed recommendation

- 1.18. In order for WBDC officers to make their proposed recommendation, the following information was considered:
- (a) Stratfield Mortimer NDP Examiner’s Report (October 2016).

(b) Landscape Capacity Assessment of Potential Housing Sites at Stratfield Mortimer (January 2017).

(c) NDP – possible ways forward following the landscape study (Stratfield Mortimer NDP Steering Group, February 2017).

1.19. The Steering Group of the NDP has studied the new evidence in the landscape study and assessed it together with all the other sustainability evidence collected during the whole NDP process. They have found that when all of the sustainability criteria are taken together, as recommended as good practice, the provision of up to 110 homes on MOR006 is still considered the most sustainable option.

1.20. On consideration of this information in 1.18 above, officers proposed to recommend that the Stratfield Mortimer NDP progress to referendum because it was felt that the NDP now met all of the basic conditions, and in particular those set out below

Basic Condition (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State

1.21. The Landscape Capacity Assessment provides the environmental evidence which the examiner considered was missing. The full consideration of the environment means that the three dimensions of sustainable development as set out within national planning policy (the National Planning Policy Framework, NPPF) – economic, environmental and social – have been considered in the allocation of a housing site.

1.22. The undertaking of the Landscape Capacity Assessment means that policy CS19 of the West Berkshire Core Strategy Development Plan Document is accorded with. This policy seeks to conserve and enhance the natural and historic environment, including landscape, consistently with paragraph 156 of the NPPF. The policy requires that proposals for development should be informed by and respond to, amongst others, the distinctive landscape character areas and key characteristics identified in relevant landscape character assessments.

1.23. Furthermore, the vision of the NDP sets out that the best landscape features of the parish will be retained.

1.24. Whilst the Landscape Capacity Assessment recommends that only part of the allocated site is suitable for development, it should be noted that the examiner in his report at paragraph 172 sets out that he would have recommended adding ‘up to’ before ‘110 homes’ in NDP policy RS5 (this policy has regard to the allocated site) had he not had a concern with the site selection.

1.25. WBDC’s adopted Core Strategy Development Plan Document (Development Plan Document) does not state that the NDP must deliver 110 dwellings. Instead it requires the delivery of at least 10,500 net additional dwellings over the period 2006-2026. Development is to follow the existing settlement pattern and comply with the spatial strategy policies for four spatial areas. Most development is to be within or adjacent to settlements in the settlement hierarchy.

1.26. Within the settlement hierarchy, Mortimer is identified as a Rural Service Centre, the second tier in the hierarchy. It is therefore considered to have a range of services and reasonable public transport provision so there are opportunities to strengthen role in meeting requirements of surrounding communities. Mortimer lies

within the East Kennet Valley spatial area and the provision of approximately 800 dwellings are proposed within this spatial area.

- 1.27. In relation to basic condition (a), it is considered that the NDP as now proposed to be modified gives appropriate regard to national policy and guidance.

Basic Condition (d) The making of the plan contributes to the achievement of sustainable development

- 1.28. The NPPF makes it clear at paragraph 8 that the three roles of sustainable development (economic, social and environmental) should not be taken in isolation because they are mutually dependent, and it is considered that there are other reasons.
- 1.29. National Planning Policy (paragraph 184 of the NPPF) identifies that neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The importance of neighbourhood planning is also reinforced in the Government's recent Housing White Paper 'Fixing out broken housing market' (7 February 2017) which states at 1.41 that "*New development affects us all...that's why we want communities to have a more direct say over development in their area...*".
- 1.30. It was the preference of the community that only one site was allocated within the village, and that the preferred site was the site south of St. John's Church of England School, off The Street.
- 1.31. The local community raised concerns about the capacity of the village schools and doctor's surgery being unable to cope with an increase to the population. Discussions that Stratfield Mortimer Parish Council had with the village school, WBDC, the doctor's surgery and the local health authority led to the conclusion that allocating land for a new enlarged infant school and new larger doctor's surgery would help to overcome the strong community concern. Only two sites would have been able to accommodate housing, a doctor's surgery and infant school. The allocated site was one of two sites large enough to accommodate this, and the landowner was willing to set aside land for a possible new school and doctor's surgery. The allocated site was the preference of the local community. The examiner's report states that the landowner and proposed developer of site proposed for allocation confirmed that in principle a development of about 60 units would be viable even with the provision of affordable housing and land set aside for the school and surgery.
- 1.32. The examiner in his report at paragraph 195 identifies that had he not had fundamental concerns about the selection of the allocated site then he would have recommended that the first bullet point of NDP policy SDB1 (which has regard to the design brief for the allocated site) be changed to reflect the outcome of a landscape and visual assessment and archaeological assessment so that it reads 'The site must provide up to 110 dwellings, subject to the outcome of technical studies.'
- 1.33. The allocation in the NDP will make a contribution to sustainable development as the site is appropriate for an amount of housing development which will be tempered (by way of the modification made by the examiner) to meet environmental needs such as impact on landscape. The examiner's modification to policy SDB1

would ensure that development would not have an unacceptable harm on the character and appearance of the landscape. Overall, it is considered that the NDP as proposed to be modified will meet basic condition (d) and will contribute to bringing forward development that is sustainable in terms of the NPPF.

Consultation

- 1.34. Because the WBDC officer proposed recommendation was different to that of the examiner, a six week consultation seeking views on this was required in line with 17A of the Neighbourhood Planning (General) Regulations 2012. The consultation period ran between Friday 3 March 2017 and Tuesday 18 April 2017. The following documents were made available for consultees to refer to:
- WBDC officer note setting out the proposed recommendation and the reasons behind it.
 - Examiner’s report on the Stratfield Mortimer NDP.
 - Examiner’s proposed modifications that he would have made to the Stratfield Mortimer NDP.
 - Landscape Capacity Assessment.
 - Stratfield Mortimer NDP Steering Group ‘possible ways forward following the landscape study.
 - Track changes version of the Stratfield Mortimer NDP which incorporates the modifications that the examiner would have made.
- 1.35. 23 responses were received to the consultation. Appendix G sets out the responses received and the Council’s response.

2. Supporting Information

- 2.1. In order for WBDC officers to make their final recommendation, the following information was considered:
- Stratfield Mortimer NDP Examiner’s Report (October 2016).
 - Landscape Capacity Assessment of Potential Housing Sites at Stratfield Mortimer (January 2017).
 - NDP – possible ways forward following the landscape study (Stratfield Mortimer NDP Steering Group, February 2017).
 - Consultation responses to the proposed officer recommendation.

3. Options for Consideration

- 3.1. Three options were considered:
- (a) That the recommendations of the Stratfield Mortimer NDP examiner are accepted, and the NDP does not proceed to referendum. The NDP allocates a site for 110 dwellings, so by accepting the examiners recommendations would mean that WBDC have to address any shortfall

in Stratfield Mortimer within the new Local Plan. For the purposes of the determination of planning applications, the development plan for West Berkshire would not include the NDP.

- (b) That the recommendations of the examiner are not adhered to due to new evidence which overcomes the concerns raised in his report, and the Stratfield Mortimer NDP progresses to referendum.
- (c) That the NDP is referred to independent examination.

4. Proposals

- 4.1. WBDC officers final recommendation is that the Stratfield Mortimer NDP, with modifications proposed by the examiner in his report, progresses to referendum.
- 4.2. Appendix G sets out the comments received to the consultation on the WBDC officer proposed recommendation and includes a Council response. None of the representations raise issues that would result in the Council recommending an alternative recommendation.
- 4.3. It is the view of WBDC officers that the Stratfield Mortimer NDP (with modifications) meets all of the basic conditions.

5. Conclusion

- 5.1. For the reasons set out in section 4 above, WBDC officers' final recommendation is that the Stratfield Mortimer NDP (with modifications) progresses to referendum. Council are asked to formally agree this recommendation.
- 5.2. If agreement is obtained, then a referendum will be arranged to take place in the summer of 2017. A potential date is 22 July 2017, with notice of the referendum served on 17 May 2017. Only those living within Stratfield Mortimer Parish and who are registered to vote will be eligible to vote in the referendum.
- 5.3. On a successful 'yes' vote at referendum, the Stratfield Mortimer NDP will be immediately adopted as part of the Development Plan, and used to determine planning applications within the Stratfield Mortimer Neighbourhood Area.

6. Consultation and Engagement

- 6.1. Bryan Lyttle (Planning) and Planning Advisory Group (PAG).

Subject to Call-In:

Yes: No:

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



Wards affected:

Stratfield Mortimer

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aims:

- BEC – Better educated communities**
- HQL – Maintain a high quality of life within our communities**

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- SLE1 – Enable the completion of more affordable housing**
- HQL1 – Support communities to do more to help themselves**

Officer details:

Name: Laila Bassett
Job Title: Senior Planning Officer
Tel No: 01635 519 540
E-mail Address: laila.bassett@westberks.gov.uk

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

| | |
|---|--|
| What is the proposed decision that you are asking the Executive to make: | To consider the officer proposed recommendation that the Stratfield Mortimer Neighbourhood Development Plan (NDP) progresses to referendum. |
| Summary of relevant legislation: | The relevant legislation setting out the neighbourhood planning process is included in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended). |
| Does the proposed decision conflict with any of the Council’s key strategy priorities? | No |
| Name of assessor: | Laila Bassett |
| Date of assessment: | 15 March 2017 |

| Is this a: | | Is this: | |
|-------------------|------------|---|------------|
| Policy | Yes | New or proposed | Yes |
| Strategy | No | Already exists and is being reviewed | No |
| Function | No | Is changing | No |
| Service | No | | |

| 1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it? | |
|---|--|
| Aims: | To help deliver the government’s policy for neighbourhood planning in the parish of Stratfield Mortimer. |
| Objectives: | To allow the community of Stratfield Mortimer to develop planning policies to shape the future of their communities. |
| Outcomes: | Completion and adoption of a NDP for the parish of Stratfield Mortimer. |
| Benefits: | Delivery of government policy regarding neighbourhood planning. Give more control to the local community of Stratfield Mortimer to shape their community going forward, including the allocation of a housing site. |

2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

| Group Affected | What might be the effect? | Information to support this |
|---|--|--|
| All | <p>Neighbourhood planning should have a positive impact on all groups.</p> <p>Communities are more aware of the specific groups and issues within their communities and therefore, can ensure that minority groups and those with protected characteristics are fully informed of the process and are invited to fully engage with the development of the neighbourhood plan.</p> <p>Neighbourhood Planning has the opportunity to fully engage all members of society ensuring that they all have a say in the future development of their community.</p> | <p>Neighbourhood Planning legislation, National Planning Policy Framework (NPPF), National Planning Guidance (NPG)</p> |
| Further Comments relating to the item: | | |
| | | |

3. Result

Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?

No

Please provide an explanation for your answer:

Neighbourhood Planning allows communities to develop a planning framework for their own community, enabling all members of society to engage in the local planning process.

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?

No

Please provide an explanation for your answer:

Development of a neighbourhood plan should have a positive impact upon a local

community as all members of the community are encouraged to engage with the process of developing the plan.

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

| | |
|---|-----|
| 4. Identify next steps as appropriate: | |
| Stage Two required | No |
| Owner of Stage Two assessment: | n/a |
| Timescale for Stage Two assessment: | n/a |

Name: Laila Bassett

Date: 15 March 2017

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.