



Examiner of the Crowthorne Parish Neighbourhood Plan

4 November 2019

Dear Examiner,

CROWTHORNE PARISH NEIGHBOURHOOD PLAN SUBMISSION (REGULATION 16) CONSULTATION

The following relates to Bracknell Forest Council's response (as the Local Planning Authority) to the Regulation 16 consultation on the Crowthorne Parish Neighbourhood Plan (23 September-4 November 2019). This response does not include any comments from the Council as a land owner.

Bracknell Forest Council is generally supportive of the Plan, and appreciates the work invested by those involved in the preparation of the Plan. The structure of the document and policy sections is supported.

Basic Conditions

It is considered that a number of policies as currently worded do not meet the Basic Conditions (further detail set out in Appendix 1 of this response), namely A (regard to national policy and guidance), D (contribution to achievement of sustainable development), E (general conformity with strategic policies contained in the Development Plan) and F (does not breach EU obligations):

- **Policies Map**
The Policies Map clearly indicates the areas covered by each policy as a whole. However, it does not indicate the locations of some of the specific features mentioned within some of the policies (such as the 'historic core'). This results in ambiguity, as it is not clear where these features are and how a decision maker should use the policies in these instances. As a result of this ambiguity, the policy is considered to be contrary to national planning policy and basic condition A.
- **Policy CR1**
This policy is ambiguous as some of the points in the list are too prescriptive to be applied to all new development within the parish and it is not clear which points should be adhered to when assessing proposals. The policy wording also causes ambiguity, as the term 'historic houses' is subjective, and it is not clear how proposals would be expected to 'have regard' to the listed features. As a result of this ambiguity, the policy is considered to be contrary to national planning policy and basic condition A. Concern is also expressed that the reference to 'typically low densities' and to buildings 'typically one or two storeys in height' will constrain development in a manner not supported by national policy or local strategic policy and as such will not contribute to the achievement of sustainable development. As a result, the policy is also considered to be contrary to basic conditions D and E.

Appendix A

- Policy CR2
This policy is ambiguous as some of the points in the list are too prescriptive to be applied to all new development within the character area and it is not clear which points should be adhered to when assessing proposals. The policy wording also causes ambiguity, as it is not clear how proposals would be expected to 'have regard' to the listed features. As a result of this ambiguity, the policy is considered to be contrary to national planning policy and basic condition A.
- Policies CR3 and CR5
These policies are ambiguous as some of the points in the list are too prescriptive to be applied to all new development within their respective character areas and it is not clear which points should be adhered to when assessing proposals. The wording within the policies also causes ambiguity, as some of the terms used are subjective and it is not clear how proposals would be expected to 'have regard' to the listed features. As a result of this ambiguity, the policies are considered to be contrary to national planning policy and basic condition A.
- Policy CR4
This policy's wording results in ambiguity, as some of the terms used are subjective and it is not clear how proposals would be expected to 'have regard' to the listed features. As a result of this ambiguity, the policy is considered to be contrary to national planning policy and basic condition A.

Policy CR6

This policy is ambiguous as some of the points in the list are too prescriptive to be applied to all new development within the character area and it is not clear which points should be adhered to when assessing proposals. As a result of this ambiguity, the policy is considered to be contrary to national planning policy and basic condition A.

- Policy CR7
This policy is ambiguous as it is not clear where the 'views out of the character area' that need to be protected are located. As a result of this ambiguity, the policy is considered to be contrary to national planning policy and basic condition A.
- Policy CR8
Concern is expressed that the requirement for a strategic gap between the defined settlement at the former Transport Research Laboratory and the defined settlement of Bracknell is out of the scope of this Neighbourhood Plan, as the gap would be located within the parish of Bracknell Town. It is also not clear what exact area this gap covers as it is not indicated on the policies map. As a result of these issues, the policy is considered to be contrary to national planning policy and basic condition A. Concern is also expressed that the policy would hinder the implementation of policy SA5, as the policy adds further design requirements to development on this site despite the agreed design code. The policy is therefore considered to be contrary to local strategic planning policy and basic condition E.
- Policies CR9 and CR10
Concern is expressed that specifying who should design the lettering for signage is outside the scope of neighbourhood plan (or any other) policies. As a result of this ambiguity, these policies are considered to be contrary to national planning policy and guidance and basic condition A.

Appendix A

- Policy CR11
Concern is expressed that the policy is contrary to strategic policies CS19 and CS20 as the Broadmoor employment area indicated on the policies map differs from the designated Broadmoor employment area indicated in the Bracknell Forest Policies Map. The policy is therefore considered to be contrary to local strategic planning policy and basic condition E.
- Policy CR12
Concern is expressed that the policy is ambiguous and therefore contrary to national policy as it is not clear whether or not the policy intends to improve access to the Thames Basin Heaths SPA. If this is the intention, the policy would be contrary to local strategic policy and the requirement that the making of a neighbourhood plan is not likely to have a significant effect on a European site. It is also unclear when harm to the green infrastructure network would be considered unavoidable. As a result of these issues the policy is contrary to basic condition A and may be contrary to basic conditions E and F.
- Policy CR13
The wording of this policy causes it to be contrary to local strategic policies, basic condition E, and basic condition F, as it undermines current strategic policy that prevents any development that lacks proof that it will not have an adverse effect on the SPA from being permitted. Concern is also expressed that the policy is ambiguous and is contrary to basic condition A as it is not clear what is meant by 'local biodiversity assets' and what types of development will be required to demonstrate biodiversity net gain.

Other suggested changes/comments

6.9 During the Pre-Submission consultation on the Crowthorne Neighbourhood Plan the Council submitted a response which included a table of technical comments which included suggested changes to the structure of the plan and policies/supporting text. Whilst comments that are not related to the basic conditions have not been included within this response, the Council considers that, wherever not implemented, the previously suggested changes to the structure of the document would improve its usability. Likewise, the Council considers that, wherever not implemented, the previously suggested changes to policies/supporting text (for the purposes of correcting factual errors or seeking clarity) will help to ensure consistency and robust decision making.

Basic Conditions Statement

It is noted that the assessment of the Plan against the Development Plan is wider than the 'strategic policies'. (See Appendix 2 of this response for a list of relevant Strategic Policies).

Strategic Environment Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening

Information provided as part of the Crowthorne Neighbourhood Plan Submission relates to the draft report that was issued for consultation. The final decision, incorporating the comments of the statutory consultees, is the 'Crowthorne Neighbourhood Plan Strategic Environmental Assessment and Habitats Regulations Assessment Screening Determination, January 2019', which is available to view on the Council's website: <https://www.bracknell-forest.gov.uk/sites/default/files/documents/crowthorne-neighbourhood-plan-sea-hra-screening-determination.pdf>

Appendix A

Please do not hesitate to contact the Development Plans Team if you require any clarification on the points raised (email: development.plan@bracknell-forest.gov.uk).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Max Baker', with a long horizontal flourish extending to the right.

Max Baker
(Head of Planning)

Appendix 1 – BFC comments in relation to Basic Conditions
Appendix 2 – List of BFC Strategic Planning Policies