



# Report to the **Bracknell Forest** Borough Council

by **Jane V Stiles** BSc(Hons)Arch DipArch RIBA DipLA MLI PhD MRTPI

**an Inspector appointed by the Secretary of  
State for Communities and Local Government**

Room 3/25  
The Planning  
Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 8255

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE CORE STRATEGY

DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 4 November 2007  
Examination hearings held between 25 June and 17 July 2007

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## Abbreviations used in this Report

|                  |   |
|------------------|---|
| ¶                | paragraph   |
| §                | section   |
| p                | page  |
| 2004 Act         | Planning and Compulsory Purchase Act 2004   |
| AAP              | Action Area Plan  |
| BFBC             | Bracknell Forest Borough Council  |
| CS               | Core Strategy   |
| DPD              | Development Plan Document   |
| DMHCSP DPD       | Development Management: Housing and Commercial Sites and Policies DPD   |
| GB               | Green Belt  |
| GOSE             | Government Office for the South East  |
| LDF              | Local Development Framework   |
| LDS              | Local Development Scheme  |
| LID SPD          | Limiting the Impact of Development SPD  |
| LP               | Local Plan  |
| LPPM             | Local plan Proposals Map  |
| SCSPM            | Submission Core Strategy Proposals Map  |
| PDL              | Previously-developed land   |
| PPG              | Planning Policy Guidance Note<br>3 – <i>Housing, 2000 (cancelled November 2006)</i><br>9 – <i>Nature Conservation, 1994</i><br>13 – <i>Transport, 2001</i><br>17 – <i>Sport and Recreation, 1991</i><br>22 – <i>Renewable Energy, 1993</i>                              |
| PPS              | Planning Policy Statement<br>1 – <i>Delivering Sustainable Development, 2005</i><br>3 – <i>Housing, 2006</i><br>6 – <i>Planning for Town Centres, 2005</i><br>7 – <i>Sustainable Development in Rural Areas, 2004</i><br>12 – <i>Local Development Frameworks, 2004</i> |
| Regulations      | Town and Country Planning (Local Development) (England) Regulations 2004  |
| RPG9             | Regional Planning Guidance for the South East, 2001   |
| RSS              | Regional Spatial Strategy   |
| SA               | Sustainability Appraisal  |
| SEA              | Strategic Environmental Assessment  |
| SEERA            | South East England Regional Assembly  |
| SEP              | South East Plan   |
| Site Allocations | Site Specific Allocations of Land (DPD)   |
| SoS              | Secretary of State  |
| SP               | Berkshire Structure Plan  |
| SPD              | Supplementary Planning Document   |
| TBD              | SPA Technical Background document   |
| TBH SPA          | Thames Basin Heaths Special Protection Area   |
| TC               | Town Centre   |

## Introduction and Overall Conclusion

1. Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
  - (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document.
  - (b) whether it is sound.
2. This report contains my assessment of the Core Strategy (DPD) in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.
3. My role is to consider the soundness of the submitted Bracknell Forest Borough Core Strategy DPD against each of the tests of soundness set out in PPS12. Following the receipt of representations on the submitted plan the Council proposed a number of minor changes. In addition, during the course of the hearing sessions the Council, and some of those present, prompted on occasion by me, advanced a few further suggested wording changes.
4. An important feature of the new plan making system is the principle of “front-loading”; the adoption of that approach meaning that changes following submission would not be expected and should not be proposed (PPS12 paragraph 4.18). It is understandable, at this early stage in the development of the new system, that the front-loading process has not worked as well as it should. However, there is a clear limit to my ability to recommend the adoption of changes to the submitted document. This is because of the need for community involvement at all stages in the generation of the plan and for any significant matter to be subject of Sustainability Appraisal.
5. Paragraph 3.5.8 of the Sustainability Appraisal guidance (November 2005) states that relevant SA information will need to be made available in relation to any proposed changes to a DPD following the submission of the DPD for examination, where such changes may have significant sustainability effects. If such SA is required, a further period of public consultation may need to be carried out prior to completing the examination of the DPD, having regard to the consultation requirements of the SEA Directive. In the light of this, the Council has reviewed all of its suggested changes (Annex 1). Only 3 have any potential for any effects on the sustainability objectives as set out in the Final SA Report. The Council has carried out a further assessment of the significance of these and I am satisfied that none of the proposed changes would result in significant sustainability effects, therefore further Sustainability Appraisal during the Examination period has not been necessary to meet the requirements of government guidance and the SEA Directive (Annex 1).
6. With that in mind, I have considered the proposed minor wording changes put forward by the Council in response to the representations, and have supported those which in my view are justified, improving the clarity of the Core Strategy, but not requiring further consultation or sustainability appraisal. In addition, I have proposed some changes myself following from the discussions at the hearing sessions. In so doing, I have had regard to the draft wording provided by the Council and others in response to my requests, which I have altered as I have felt appropriate. Those changes I recommend overcome a number of points of unsoundness and render the plan sound, make clear the sense of the plan and make it fit for purpose, without making significant or substantial changes to its direction, that might have required further public consultation and/or sustainability appraisal.

7. At the end of my report is a **Schedule of Changes** (Annex 2) which provides a single reference point for all suggested changes to the submission Core Strategy in addition to those which I consider are needed to make the document sound.
8. The penultimate column gives reasons for the suggested changes that have been prepared by the Council and comprise:
  - some necessary editorial changes to correct small grammatical or similar such mistakes in the document;
  - some changes that the Council has proposed in its Position Statements, or in the Statements of Common Ground in response to representations received;
  - some changes that have arisen through further discussion with representors.
9. None of these changes fundamentally alter the strategy, and in strict terms, the CS would not be unsound without them. But they will help to clarify the way in which the strategy and policies will be implemented.
10. The final column indicates those changes without which I consider the CS would not meet the Tests of Soundness.

### **Structure of the Schedule of Changes (Annex 2)**

11. The Schedule of Changes is structured into tables that reflect the structure of the Core Strategy Submission document:
  - Table 1: Suggested Changes First Section including changes to submission Core Strategy Proposals Map
  - Table 2: Suggested Changes Sustainable Growth Theme
  - Table 3: Suggested Changes Quality of Life Theme
  - Table 4: Suggested Changes Environment Theme
  - Table 5: Suggested Changes Somewhere to Live Theme
  - Table 6: Suggested Changes Somewhere to Work and Shop Theme
  - Table 7: Suggested Changes Transport Theme
  - Table 8: Suggested Changes Appendices
12. It should be noted that other minor changes such as the renumbering of paragraphs will need to be an integral part of the final update of the Core Strategy in anticipation of adoption. In particular, there is an error in the paragraph numbering of the submission document which commences on page 21 and continues to the end of the document – after paragraph 119, Policy CS9 currently reads paragraph 110, not 120. This will have a consequential effect upon any references to paragraph numbering in the Schedule of Changes. Whilst these changes cannot be shown at this stage, I have highlighted any such references to paragraphs in the changes in Annex 2.
13. I acknowledge that this Core Strategy has been developed over a three and a half year period throughout which there has been a variety of changes that include changes in national policy guidelines; regional policy; new regulations prescribing how local planning should be conducted; new consultation arrangements; a newly adopted Structure Plan; a new Regional Transport Strategy; a new Local Transport Plan; a new Economic Strategy; 2 new Community Strategies and a planning permission for Bracknell Town Centre. At the outset, the Thames Basin Heaths was a collection of SSSIs and climate change was still in the hands of the sceptics. Against this background, the Council is to be commended for not abandoning ship, and for not waiting for more clarity. Furthermore, it is to be commended for wanting to develop a positive spatial strategy which looks to the future, and not one which tries to catch up with what has already happened.

14. Clearly, this Core Strategy has been developed in challenging times. The Council has had to interpret policy where there was no guidance, interpret guidance where there was no best practice, and it has endeavoured to establish best practice as it went through the process. Guidance regarding the form and content of Core Strategies has developed rapidly since this CS was prepared. In the light of this guidance, the Council might now present the document somewhat differently if it had the opportunity, albeit adhering to its overall strategy. Some of the CS policies are rather general and add little to national and regional policy: in particular, CS1, but to a lesser extent CS6, CS7, policies in the Environment Theme, and the retail policies in the Somewhere to work and Shop Theme. Nevertheless, they provide the context for later policies in this and subsequent DPDs and reflect issues identified at earlier consultation stages.
15. However, these shortcomings should be weighed against the positive aspects of the CS, in particular the preparation of a bespoke SPA avoidance and mitigation strategy for housing development in the area; the good directional policies for housing and employment; and the proposals for the regeneration of the Town Centre. On balance, therefore, I have taken the view that any such shortcomings are not significant enough to make the document unsound, and I have not put forward changes to resolve these weaknesses. Nevertheless, when the CS is reviewed, the Council will need to ensure that it is more sharply focussed on a clear articulation of the spatial strategy for the Borough, concentrating on locally distinctive issues which are of particular relevance to Bracknell Forest. Consequently, not all elements of this Core Strategy should be seen as a template for others to follow, but rather as part of the evolutionary process of interpreting the 2004 Act.
16. In line with national policy, this DPD is presumed to be sound unless it is shown to be otherwise by evidence considered during the examination. The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the tests of soundness in PPS12. None of these changes should materially alter the substance of the overall plan and its policies, or undermine the sustainability appraisal and participatory processes already undertaken.
17. My report firstly considers the procedural tests, and then deals with the relevant matters and issues considered during the examination in terms of the tests of conformity, coherence, consistency and effectiveness. My overall conclusion is that the Bracknell Forest Borough Core Strategy is sound, provided it is changed in the ways specified. The principal changes which are required are, in summary:
- (a) *the inclusion of further information on cross boundary working*
  - (b) *clarification of the Borough’s place in the sub-region*
  - (c) *various changes to bring text into line with national guidance*
  - (d) *various revisions to address defects in the Key Diagram together with the insertion of a list of settlements shown on the Key Diagram*
  - (e) *the removal of 2 Local Gaps and the upgrading of one Local Gap to a Strategic Gap*
  - (f) *the introduction of a paragraph indicating the changes in circumstances which may trigger an early review of the CS*
18. The report sets out all the detailed changes required to ensure that the plan meets all the tests of soundness.

## **Procedural Tests**

### ***Test 1: Consistency with the Local Development Scheme***

19. The Core Strategy is identified within the Council’s Local Development Scheme (LDS) adopted 30 March 2005, with the first updated version being adopted in May 2006. There, it is shown as having an examination date of May 2007. The latest version of the LDS is dated April 2007.

20. Test 1 of paragraph 4.24 of PPS12 is met.

**Test 2: Compliance with the Statement of Community Involvement and associated Regulations**

21. The Council’s Statement of Community Involvement (SCI) has been found sound by the Secretary of State and was formally adopted by the Council in July 2006. It is evident from the documents submitted by the Council, including the Regulation 31 and 33 Statements and its Self Assessment Paper, that the Council has met the requirements as set out in the Regulations.

22. Test 2 of paragraph 4.24 of PPS12 is met.

**Test 3: Sustainability Appraisal**

23. Alongside the preparation of the Core Strategy it is evident that the Council has carried out a parallel process of Sustainability Appraisal, including a Scoping Report, Initial, Draft and Final Sustainability Appraisal Reports and appropriate consultation at each stage.

24. Accordingly, I am satisfied that the procedural tests 1, 2 and 3 have all been satisfied.

**Tests 4 –5: Conformity**

**Conformity**

4 – *it is a spatial plan which is consistent with national planning policy and in general conformity with the regional spatial strategy for the region . . . and it has properly had regard to any other relevant plans, policies and strategies relating to the area or to adjoining areas*

5 – *it has had regard to the authority’s community strategy;*

25. The South East England Regional Assembly (SEERA) has indicated that the Core Strategy is in general conformity with both the adopted Regional Spatial Strategy (RPG9 and Alterations) and the emerging Regional Spatial Strategy (the draft South East Plan as submitted to government on 31 March 2006). Whilst SEERA has raised several detailed objections, these are not so fundamental as to affect this opinion. These matters will be dealt with later in this Report (reference to Borough’s place in sub-region, targets for affordable housing; needs of an ageing population; empty housing stock; recognition of Bracknell as a regional transport hub).

26. I do not consider any of the points raised to be so fundamental as to make the CS unsound. Regional Policy is evolving, and depending on the outcome of that process, it may be necessary for the CS to be reviewed, or for relevant policies to be included in other DPDs. In order to fully meet this test, the CS should explicitly confirm that it will be subject to early review if it is no longer in general conformity with the RSS when finally approved. **Change 13** is therefore needed to address this matter. Subject to the incorporation of the changes I recommend in the Schedule of Changes, Test 4 is met.

27. The Core Strategy has had regard to the **Community Plan** which is a document prepared by the Bracknell Forest Partnership and consists of representatives from the public, private and voluntary sectors. The Bracknell Forest *Sustainable Community Plan* was agreed in September 2005 (published October 2005) and sets out a vision for the Borough to 2015. This broad vision together with guidance in other documents, including national and regional planning considerations, have been used to prepare a specific vision for the LDF which will be used to inform the strategy, policies and proposals of all the LDD documents that will make up the LDF. Test 5 is therefore met.

## **Overview of Tests 6-9**

### **Test 6: Coherence, Consistency and Effectiveness Tests**

28. The CS is the first DPD to be examined. Subsequent Examinations will need to address the consistency of other DPDs with this CS.
29. Core Strategies are not yet in place for neighbouring authorities, but as far as I am able to judge, the document before me takes account of cross boundary concerns where relevant such as minerals and waste; Housing Market Assessment; Gypsies, Travellers and Travelling Showpeople’s Accommodation Needs; transport; countryside management and the protection of TBH SPA; and the prevention of coalescence of settlements (Gaps). Regular cross-boundary discussions take place with a number of adjoining local authorities on these spatial planning issues. In particular discussions are taking place with Hart DC and Wokingham BC on the issue of gaps. Bracknell Forest is further advanced in its LDF process than these two Councils and the Government Office has been keen that Bracknell Forest does not delay its Core Strategy in order for all cross boundary issues to be resolved. Following the South East Plan Panel’s Report, the Council will, along with other local authorities, consider the most appropriate way to jointly deal with more detailed work on issues such as gaps. The implementation section under particular policies refers to the need for partnership working with relevant landowners, developers, statutory agencies and the local community. Subject to the changes I specify, I am satisfied **Test 6** is met.

### **Test 7: Appropriateness and evidence**

30. Save for the study on Gaps and Green Wedges (ETS007), which I discuss later, the evidence base supporting the CS is comprehensive, robust and credible. The Council has commissioned a number of independent reports to inform policy development on matters such as the urban potential study, employment potential and retailing. There are also comprehensive technical studies and background papers on matters such as housing supply, affordable housing, major locations for growth and the Thames Basin Heaths SPA. The CS includes a housing trajectory (Appendix 6) which demonstrates how the strategic housing requirement will be met and the Council demonstrated at the hearings how it could be brought more fully into line with PPS3.
31. In the process of preparing the CS, the Council generated preferred options from a series of initial options for future spatial development in the Borough. The **Initial Sustainability Appraisal** appraised the key impacts of each option and suggested the most sustainable way forward which generated the **Preferred Options**. In a Borough which comprises about 70% open countryside (of which about 50% is forested), and where development options are heavily constrained by the Thames Basin Heaths SPA (about 12% of Borough) and Green Belt designations (about 35% of Borough), the options for accommodating significant new development are perhaps less wide-ranging than could be the case elsewhere. I am satisfied that the Council considered all reasonable options and alternatives in relation to the key elements of the spatial strategy and there is no need at the present time to adjust the boundaries of the GB.

### **Test 8: Implementation and Monitoring**

32. Methods of **implementation**/delivery vehicles are set out for each Core Policy. However, indicators are confined to an Appendix at the back of the document. It may have been more useful to link them with individual policies. Nevertheless, Appendix 5 to the CS is fairly comprehensive. Due to a typographical error some of the data in the table was out of alignment. **Change IR13** deals with this.
33. Appendix 5 identifies indicators and targets for monitoring the performance of the CS against its spatial objectives and Policies. The majority are based on the National Core Indicators which the Council is required to monitor annually through the Annual Monitoring Report (AMR) in December of each year. If the target is not met, this will be

identified through the AMR and the reasons for it identified. Although some of the National Core Indicators lie outside the Council’s sole ability to deliver, ultimately it will be for the Council to identify appropriate actions to ensure that targets are met. Should monitoring show significant variance from the indicators set out, this may trigger a review of the CS or subsequent LDDs. I consider Test 8 is met.

**Test 9: Flexibility**

34. Pending the finalisation of the South East Plan, there remains uncertainty over the level of housing provision that the Borough should meet. The CS describes the general approach to meeting need for additional housing provision based on current RSS requirements. However, it is not constrained by those figures as it provides for the approach to be adjusted in practical terms if housing provision needed to change or be phased differently once the RSS review has concluded. First, there is provision for an early review of the CS. Secondly, there is some flexibility in the plan to allow for an increase in provision while any review to accommodate a higher allocation in the longer term takes place. Thirdly, the delivery period of the urban extension (CS5) scheduled for the second half of the plan period (2017-2026) could change should monitoring indicate that this is necessary.
35. The CS has to strike a balance between the need for flexibility to deal with uncertain or changing circumstances, and the need to provide a level of certainty over where development will take place. I consider the CS strikes the right balance and that Test 9 is met.
36. In this context, I note that the Council initially began developing a Site Allocations DPD (SADPD) alongside the CS. It felt that it was good planning to identify and allocate sites which were needed to implement the CS. It also felt, that only through SA of these sites would it be in a position to confidently move forward with a robust, tested and mature CS. However, through strong advice from GOSE it determined not to proceed with the SADPD. Instead this is now being developed through the Development Management DPD. Nevertheless, the knowledge gained is of benefit to the CS in providing confidence.

**Issue 1 – Whether the strategic vision and objectives are appropriate**

37. The Core Strategy is a fairly concise document. It commences with a succinct and locally distinctive **Portrait of the Borough**, describing the Borough and its context in terms of its social, demographic, economic and environmental conditions. Although the CS does refer to the Western Corridor and Blackwater Valley sub-region in Map 1, this should be made clear in the CS by reference to the Borough’s place in the sub-region in paragraph 16 of the Portrait (change IR1).
38. The CS then articulates the issues that the Borough faces. The overall **Vision to 2026** is good and locally distinctive and has a clear vision about what is important to the local community. It provides a picture of how the area will spatially develop in the period to 2026 and I am satisfied that there are CS policies that link to each part of the Vision.
39. The **spatial objectives** are well thought out and are linked to specific **key delivery** policies so the reader can see directly how individual objectives will be achieved (the table on page 9 is useful here). The actual strategy is not articulated very well but it is apparent from the objectives and supporting text. The spatial objectives begin to articulate how the issues and challenges identified can be addressed and indicate the broad direction that the more detailed strategy and policy should take in order to meet the Council’s vision. The spatial objectives are:
- A. To plan for a balance of housing and employment growth
  - B. To aid delivery of housing in the Borough, which meets the needs of all sectors of the community, including the provision of affordable housing

- C. To deliver the regeneration of Bracknell Town Centre
- D. To promote a sequential approach to the location of new development
- E. To promote a transport system which enables access to services, by a choice of transport modes
- F. To ensure high quality well designed development is delivered in the Borough
- G. To support and facilitate essential community facilities and infrastructure in accessible locations
- H. To deliver accessible development meeting the needs of the Borough
- I. To maintain and improve the built and natural environment, and to mitigate the effects of new development upon the natural and historic environment (see changes 8 and E1)
- J. To maintain high and stable levels of economic growth
- K. To promote the sustainable use and disposal of resources
- L. To mitigate and adapt to climate change

40. In my conclusion, the strategic vision and objectives are realistic and deliverable. The CS is set up under 6 key themes. All themes and their constituent policies link back to the CS vision. Although the policies have all been linked back to the spatial objectives, it might have additionally been helpful to reference them within the Vision so that the links are clear.

***Issue 2 – Whether the Key Diagram and submission Proposals Map are appropriate.***

- 41. The overall strategy is set out on the **Key Diagram** but the key Diagram itself is a little basic and contains somewhat limited cross-boundary information, although it appears that regular cross-boundary discussions take place (see page 5 of CS). To be consistent with the requirements of the Planning Act 2004 and its attendant Regulations, it should provide, by way of further examples, information as to what are important current and emerging cross-boundary issues. In the absence of such information it is difficult to gauge whether **Tests 4 and 6** have been appropriately met. For the plan to be sound this should be addressed by inserting a new paragraph after paragraph 15 (change 4).
- 42. I acknowledge that the Key Diagram was prepared at a time when there was little or no guidance available. However, as and when the CS is reviewed, it might contain more information about such matters as the regeneration area, and where travel will take place for jobs, shopping, leisure, recreation and healthcare.
- 43. Whilst all settlements are shown on the Key Diagram through pale blue shading, they are not all specifically named. For clarity, the settlements should be named on the Key Diagram and listed in CS paragraph 57 (changes 16 and IR5).
- 44. I have concluded elsewhere that Bracknell/Binfield are contiguous and, in any event the break to the south of the triangle formed by St Marks Road, Popeswood Road and London Road is misleading and should be removed (change IR6).
- 45. However, there is sufficient information to identify the location of the Borough relative to transport networks and to necessarily indicate that some (particularly international and national) planning constraint policy notations extend beyond the Borough boundary and have cross boundary implications. Whilst the Key Diagram shows that the Borough boundary bisects Ascot, it does not similarly show that it bisects Crowthorne. To fully

understand the relationship between settlements, Crowthorne, Wokingham and Yateley should be shown. **Changes E2 and IR3** are therefore required for the document to be sound (**Tests 4 and 6**).

46. The Key Diagram identifies the broad areas to which the 2 Major Locations for Growth policies (CS4 & CS5) will apply. It does so by means of cross-hatching on a background which omits any permanent features (such as local roads or watercourses) which might form identifiable boundaries. As such, the Key Diagram is consistent with paragraph A1 of Annex A to PPS12. However, the cross-hatching is contained within a shape edged with a solid blue line which may appear to indicate a defined boundary. To meet Test 4B, this line should therefore be removed from the Key Diagram (**change IR2**).
47. Given that the urban extensions (CS4 & CS5) are fundamental to the CS, the Council has identified them on the **Submission Core Strategy Proposals Map (SCSPM)** in more detail for clarity, certainty and to aid the implementation and deliverability of these comprehensive, mixed use developments. As such, the Submission Proposals Map accords with paragraphs 2.20, 2.21 ii, 2.27, and paragraph A2 of Annex A to PPS12.
48. Both CS4 & CS5 policy areas are contained by permanent or easily identifiable features such as roads, rivers (omitted from the Key Diagram) and existing defined settlement boundaries. Policy area CS4 is delineated by A329 Berkshire Way, the Borough administrative boundary, B3408 London Road and the Amen Corner settlement boundary alteration. Policy area CS5 is delineated by the B3018 Binfield Road, B3034 Forest Road, the settlement boundaries of Newell Green and Warfield Street, the Bullbrook and existing development at Whitegrove and Quelm Park (contained by County Lane/Harvest Ride) and the settlement boundary of Bracknell (Priestwood).
49. Thus, specific policy boundaries (for CS4 & CS5) are identified on the **SCSPM**. Whilst the Key Diagram is consistent with the broad location of the CS5 site shown on pages 34 and 35 of the Major Locations for Growth Background Paper, the SCSPM better reflects the land necessary for mixed-use development (it omits the existing Westmorland Park open space area at the eastern end of the broad location). This inconsistency was identified in the CS DPD Erratum Schedule (21 November 2006). Therefore, for consistency, and for the 2 documents to be sound in respect of Test 6, the Key Diagram should be amended to reflect the Proposals Map (**Change 9**).
50. There was some confusion amongst the representors with the status of the SCSPM and the information shown on it. The status of the SCSPM is that detailed in Regulation 28 of the Town and Country Planning (Local Development) (England) Regulations 2004 and described in paragraph 2.27 of PPS12. Its role is to provide a link between the existing Proposals Map (before the CS to which it relates is adopted) and the subsequent adopted Proposals Map (i.e. when CS is adopted). Its function is to identify how the adopted Proposals Map will be amended or added to (paragraph 2.27 of PPS12). Therefore, the SCSPM should show only the changes to be made to the adopted Proposals Map. Thus, the ‘major employment sites’ are not shown on the SCSPM because there is no change.
51. The TBH SPA status has been confirmed since the Local Plan adoption and it has been shown on the SCSPM specifically to identify the 400m and 5km SPA zones relevant to CS14. However, somewhat confusingly, the Council has shown the Green Belt boundaries which are not proposed to be changed, for comparison and locational purposes. Given the status of the SCSPM, and the fact that these are shown on the Key Diagram, I do not consider it necessary to show them on the SCSPM. Nevertheless, given the status and purpose of the document, I see no need to change it at this stage.
52. As the CS is the first document to be prepared under BFBC LDF, there is no pre-existing adopted LDF Proposals Map to build upon. The intention is to “carry forward” the settlement boundaries from the Bracknell Forest Borough Local Plan Proposals Map

(with the exception of the Major Locations for Growth promoted by Policies CS4 and CS5). There will be a detailed review of settlement boundaries through the **Development Management: Housing and Commercial Policies DPD**. However, it is possible that amendments may take place through the preparation of other DPD’s (for example, the **Amen Corner Area Action Plan**), with consequent changes to the Proposals Map.

53. The LDF will also include those policies “saved” from BFBLP by SoS until subsequently superseded by the DPDs which make up the LDF. The provisions of the Submission Core Strategy Proposals Map will therefore need to be incorporated into an amended BFBLP Proposals Map (detailing only “saved” policies) to form a composite adopted Development Plan Proposals Map.
54. I discuss gaps under Policy CS9. I accept that BFBC has no control over what happens outside its own boundary. However, in the interests of cross-boundary information, and to meet **Tests 4 and 6**, the Strategic Gaps between Wokingham and Bracknell, and between Sandhurst and Yateley should be shown diagrammatically spanning the LPA boundary on the Key Diagram. **Change IR4**.
55. Subject to the changes I have specified above, and those I discuss under Gaps below the Key Diagram and submission CS Proposals Map are appropriate.

## ***Sustainable Growth***

**Policy CS1: Sustainable Development Principles**

**Policy CS2: Locational Principles**

**Policy CS3: Bracknell town Centre**

**Policy CS4: Land at Amen Corner (Parish of Binfield)**

**Policy CS5: Land North of Whitegrove and Quelm Park (Parish of Warfield)**

***Issue 3 – Whether the policies in the Sustainable Growth theme will lead to development that meets the area’s needs sustainably.***

56. Under this broad issue I shall examine first the Sustainable Growth theme in general, and then I shall examine in detail the issues that arise under the policies within it, before arriving at my overall conclusion.
57. Delivering sustainable development is the over arching objective of the Council’s Core Strategy. In these 5 initial Core Strategy Policies the Council sets out the broad principles against which new development will be considered in terms of location and the criteria against which all development proposals will be considered to ensure that they contribute to sustainable development that does not harm the natural and man-made features in the Borough.
58. These policies flow from the **Sustainable Community Plan** and the **CS Spatial Objectives** and positively seek to promote the Borough’s local distinctiveness. This is to be achieved by protecting, conserving and enhancing the Borough’s rich and diverse wildlife and countryside; by protecting the Borough’s range of distinct local landscapes (including townscapes within the built environment); and protecting the Borough’s listed buildings, conservation areas and historic parks and gardens.
59. The SA (incorporating SEA) has been prepared in consultation with stakeholders and it has been a key element in informing the final CS policies and their wording. To clarify that SEA is an entity and requirement in its own right **change 2** is needed to make the plan sound in respect of Test 4B. The **Sustainability Objectives** were prepared having regard to key issues in the Borough and refined following consultation.

**Issue 3.1 -Whether CS1 will achieve the overall objective of ensuring development is sustainable, with an appropriate set of criteria to be applied to all development proposals; whether CS1 will increase access to education and healthcare facilities and whether it is sufficiently flexible; whether CS1 would restrict employment development; whether CS1 should include more detailed information on densities; whether the strategy for biodiversity represents the most appropriate in all the circumstances and whether it reflects PPS9.**

60. Policy **CS1** provides an overarching policy that underpins the whole strategy ensuring that development has regard to sustainable development principles. It will act as a strategic ‘hook’ for more detailed policies to be contained in further Local Development Documents (LDDs) (e.g. on resource management, biodiversity, the quality of water and land). Policies CS23 and CS24 deal in more detail with sustainable transport issues and Policy CS7 on providing safe communities.

61. CS1 and its supporting text is consistent with PPS12 at paragraph 2.10. Furthermore, whilst it reflects the key elements of PPS1, it is locally distinctive in that it combines those elements of national policy relating to sustainable growth that emerged during the early SA process which are most relevant to the Borough. In particular criteria v., vi., vii., viii., and ix. pick out the aspects of the Borough which need to be protected and enhanced.

### **Education and Healthcare provision**

62. CS1 requires all development to be located so as to reduce the need to travel. Access to, or the provision of education for all ages and to healthcare facilities will be further considered through the site allocations elements of future DPDs. CS1 should also be read in conjunction with policies CS2, CS6, CS23, and CS24. I deal with the benefits of green infrastructure to education and health under CS7.

63. Paragraph 45 refers to a ‘mix of uses’ which could include healthcare facilities, and paragraph 51 refers to ‘the need to increase access to health facilities’. Policy CS1 itself seeks to ensure that development proposals will protect (i.e. maintain) and enhance (i.e. improve) the health of the local population.

64. A number of options are still being considered regarding the future of hospitals which serve the Berkshire East PCT. In accordance with PPS12 guidance for CSs, any specific allocations for health provision in the Borough would be dealt with through a further DPD. However, to make clear that the CS provides sufficient flexibility to facilitate the PCT’s reorganisation plans (Test 9), an additional paragraph should be inserted after paragraph 51 in accordance with **change E3**.

### **Employment**

65. CS1 in conjunction with other policies in the CS, (in particular CS2, CS19 and CS20), provides for the expansion of employment uses on employment sites. However, if CS1 criterion v. were to be interpreted strictly as worded, it could potentially restrict the flexibility to expand on existing sites if an appropriate scheme came forward. Since this is not the intention of the Council, CS1 as worded, is unsound (**Tests 6 & 9**). It should therefore be re-worded in accordance with **Change 14**.

### **Density**

66. CS1 (i) refers to ‘development making efficient use of land’ (not just that which is previously developed). In my view, this is an appropriate level of detail for the CS. I understand that more specific policies on density will be developed in conjunction with housing and design policies in the Development Management: Housing and Commercial Policies and Sites DPD, and which will reflect more recent guidance in PPS3.

## **Biodiversity**

67. Protecting and enhancing biodiversity is a key principle of sustainable development identified in CS1. Furthermore, it is an essential principle of good design identified in CS7. The approach has been subject to consultation and has been informed and tested through the Sustainability Appraisal process. Biodiversity has been identified as a Sustainability Appraisal objective and is therefore a consideration in assessing the impact of all new policies on sustainable development. Furthermore, biodiversity will be subject to more detailed policy in a subsequent DPD. In the meantime, the Council has requested to save a number of Local Plan policies identifying the hierarchy, and approach to designated sites of biodiversity importance in the Borough. As such, the CS is consistent with PPS9, in that it sets out the strategic approach to biodiversity with more detail currently contained within the Local Plan policies which are to be reviewed in subsequent DPDs. However, to make clear that considerations relating to biodiversity are adequately addressed in more detailed DPDs (Test 4), a further bullet point should be added to paragraph 54 in accordance with **change E4**.

68. In my conclusion, subject to the changes that I have specified, CS1 will achieve the overall objective of ensuring development is sustainable, with an appropriate set of criteria to be applied to all development proposals.

### ***Issue 3.2-Whether the locational principles in CS2 are soundly based, whether they recognise the sustainability role, status, constraints and potential opportunities of each settlement and whether they reflect the underlying spatial strategy and national and regional planning guidance.***

69. A significant part of the strategy determines the location of future development over the period to 2026. The Council’s priority (as set out in CS2) is to focus development within settlements, and major development in the first instance should take place within Bracknell Town Centre as the most sustainable option followed by PDL in defined settlements. As stated above, to make the plan clear (Test 6) these settlements should be named on the Key Diagram and listed in paragraph 57 (**changes 16 and IR5**).

70. CS2 identifies the principles against which the location of development will be considered having regard to national and regional guidance. It is consistent with the key messages in PPS3 and sets out a specific sequence for where development land should be allocated concentrating on sequential development within settlements and then extensions to settlements with the allocation of land to meet the future development needs of the Borough. CS2 recognises the importance of the redevelopment of Bracknell TC to the Borough’s spatial strategy and includes a level of flexibility through the allocation of sites and application of criteria 1 to 4.

71. To my mind, CS2 does not, and should not, elevate a Green Belt site as a suitable starting point for new growth. Whilst I acknowledge that the Syngenta site lies in the GB and is the only Major Developed Site (MDS) in the Borough, it is neither a settlement nor suitable for extension as a settlement. As such, I do not consider that it should be specifically referenced in CS2. But, I note first, that the Syngenta site is appropriately referenced in CS19 and saved LP Policy GB5; and it is clearly identified on the Saved LP Proposals Map (LPPM). Secondly, given its significance as an employment centre, the Council has stated that it will be identified as an allocated site under the emerging DM DPD. Thirdly, CS2 makes it clear that development will be permitted on *Allocated Sites*. Accordingly, the CS will support appropriate redevelopment and limiting infilling at this site without the need to amend CS2. However, to update paragraph 59 and to make the plan clear in respect of any saved policies (Test 6), it should be amended in accordance with **Change 17**.

72. Broadmoor Hospital remains an identified Major Employment Site outside the settlement boundary as identified on the adopted LPPM and the SCSPM does not propose any change to its boundary. The preparation of the DM:HCPS DPD will allow the

opportunity to discuss the future of this site with the owners and to review existing policies. I therefore see no need to review the settlement boundary.

73. Reading the CS as a whole, it provides not only the strategic guidance for settlements but also flexibility to allow for changing circumstances, for example changes to the Borough’s housing allocation. Furthermore, regard should be had to the LDF portfolio as a whole. The future land use within each settlement will be properly developed through the future allocation of specific sites for development. Therefore, I do not consider that a detailed settlement hierarchy is required in the CS. CS2 already recognises that not all settlements are the same and provides some distinction through reference to public transport links in CS2 (4). Supporting paragraph 58 also identifies that there are differences between the character, size and accessibility of settlements. To make it clear in the policy (Test 7) that not all defined settlements will warrant identical treatment, an additional statement should be added to the end of the policy in accordance with **change 19**.

74. I am satisfied that subject to the changes I have specified, CS2 is soundly based and reasonably flexible to deal with changing circumstances.

***Issue 3.3 – Whether CS3 meets Tests 7-9.***

75. Policy CS3 sets out the function of the town centre and outlines the need for a comprehensive mixed use development. It provides the strategic hook for the delivery of a regenerated town centre and is fully reflective of the Sustainable Community Plan’s key priority of a Town Centre fit for the 21<sup>st</sup> century. As the policy is non-specific about employment sites, the bus station and multi-modal interchange, it is by its nature flexible and could respond to alternative proposals if required to do so.

76. CS3 is consistent with national and emerging regional policy guidance by focussing development in the most accessible and sustainable location in the Borough. It is also founded on the Bracknell Town Centre Masterplan, which was prepared after extensive public consultation and the subsequent planning application which was approved by BFBC in December 2006 i.e. just after the CS was submitted. To update the CS and to aid the delivery of the TC redevelopment it would be helpful to amend the CS in accordance with **change 21**. I consider that CS3 is the most appropriate policy for the TC in all the circumstances and I am satisfied that it has considered the relevant alternatives that have been tested through the Sustainability Appraisal.

***Issue 3.4 – Whether the strategy of meeting the long term growth requirements by means of 2 proposed urban extensions meets Tests 4-9.***

77. Information from a number of sources (including the *Urban Potential Study 2006-2026 (ETS005, ETS006)*, the Bracknell New Town Background Paper, the *Major Locations for Growth* Background Paper (BP007) and the Employment Potential Study 2005/2006 (ETS003,ETS004)) has indicated that not all of the future growth requirements within the timescale of the CS could be met within the existing settlement boundaries. I am satisfied, from the evidence base, that a larger concentration of development on the larger sites outside settlements would more realistically present an opportunity to provide local infrastructure needs and deliver a more sustainable approach to growth, than development on smaller sites outside settlements. Furthermore, I consider that the identification of smaller sites would not be appropriate for the Core Strategy and would be contrary to national guidance. The appropriate place to consider the allocation of such sites would be through the Council’s **Development Management: Housing and Commercial Policies and Sites DPD**.

**Major locations for growth**

78. The approach taken in the long term strategy is to meet the remaining growth requirements by concentrating development outside the existing settlement boundaries

in 2 large scale, mixed-use, mixed density developments as set out in the Major Locations for Growth proposals contained in Policies CS4 and CS5. I am satisfied that they have been subjected to continual Sustainability Appraisal which has informed the CS throughout the preparation process. In addition, Policies CS4 & CS5 have direct links to the Sustainable Community Plan Priorities 1 and 4 and an indirect link to Priority 8.

79. Criticism was made of the evidence base and in particular the 24 criteria used for site selection in the SA. However, I note that the new system is front-loaded. The SA Scoping Report for the CS was prepared in December 2004. In a letter dated February 2005, 2 sites were submitted for development by Airtrack Railways Ltd (ARL) which were subsequently appraised within the Initial Sustainability Appraisal Report, July 2005 (ISA). This representation proposed the sites should be considered for transport infrastructure purposes. The SA was carried out accordingly with regard to this representation. The ISA was issued for consultation, amongst others, to those who had submitted sites.
80. In January 2006, the Draft SA Report consisted of a more comprehensive appraisal of the policy approaches in the CS and the sites put forward at this stage. The Draft SA Report was issued for consultation, amongst others, to those who had submitted sites.
81. There was therefore extensive public consultation prior to the Final SA Report and submission CS DPD were issued for consultation. Whilst the assessment of the sustainability criteria is subjective, it seems to me that the CS looks as though it provides for reasonable growth to 2026 without the need for the ARL site.
82. CS4 and CS5 provide for the strategic location of the 2 urban extensions: on land at Amen Corner (which lies to the West of Bracknell) and North of Whitegrove and Quelm Park respectively (which lies to the north of Bracknell). The location of this land is shown on the Key Diagram and also on the Proposals Map. The exact details will be examined in an **Area Action Plan**. Accordingly, I find the level of detail in these policies to be appropriate to signpost a mix of uses. However, since the **Site Allocations DPD** will not now be progressed, references to it in CS paragraphs 74 and 76 should be deleted in accordance with **Changes 25 and 27**.
83. The CS should be read as a whole. Policies CS4 & CS5 are necessary to provide the Development Plan “hooks” for future **AAPs** to ensure the implementation and delivery of the mixed use development of these areas. Whilst Policy CS15 and its supporting text (paragraphs 162-164) are the correct location for considering the housing element of these mixed use areas, to have clarity and coherence within and between the CS policies (Test 6), paragraph 72 should be cross referenced to CS15 and there should be a new paragraph to make clear the purpose of Policies CS4 and CS5 (**changes 23, 24 and E6**).
84. In its latest LDS (April 2007-May 2010) the Council has identified **AAPs** for the 2 urban extensions. The Amen Corner AAP commenced in March 2007 and is due for adoption in 2010. The AAP for Whitegrove and Quelm Park is due to commence in October 2009. Other elements of sustainable growth will be delivered through the preparation of a **Development Management: Housing and Commercial Policies and Sites DPD**.
85. The AAPs will give detailed consideration to landscape character. In particular, I note that development at Amen Corner (CS4) will be required to respect the physical and visual separation of Binfield/Bracknell and Wokingham (see my conclusions on Strategic Gaps under Environment Theme Policy CS9). The wording of CS4 iv needs to be revised in the light of my conclusions about gaps (**change IR8**). And, whilst the detailed layout of CS5 will be developed through an AAP, the Council will seek to secure the majority of Cabbage Hill as publicly accessible open space.

### **Deliverability and numbers**

86. The main question is the deliverability of the housing numbers within the time scale of the CS and the 5 year requirement in PPS3. The evidence indicates that the CS4 and CS5 sites would be capable of accommodating the required number of homes (725 and 2,200 respectively) perhaps even more. There is no requirement to limit the numbers to that in the reasoned justification to CS15. The investigative work already undertaken suggests that the projected housing numbers would be capable of being achieved. Although doubts were expressed there was no persuasive evidence which showed that the Council’s figures were not achievable. Indeed, as I note under CS15 in Somewhere to Live Theme, the Council has sought to provide a higher number of dwellings earlier through the timing and implementation of CS4 site, and the delivery period for the CS5 site could change should monitoring indicate that this is necessary. Test 7 is met.
87. Nevertheless, whilst it is possible that more than 2,200 homes could be accommodated on CS5 site, the CS should set out only the number of homes necessary to meet requirements to 2026. Any changes should be dealt with by the monitoring process or in any review of the CS. To be consistent with CS15 i.e. 2017-2026, the timescale in the last paragraph of CS5 should be amended (change 26).
88. There were representations raising concerns about other matters including, flooding, the provision of water and sewerage to supply new development, and the omission of more specific policies on the quality of water and land; representations regarding detailed additions that should be made to the policy and text including reference to trees, PDL. But all of these are capable of resolution without any need for special measures. As such, these matters are appropriately dealt with at the strategic level of the CS and the detail of these issues is more appropriately dealt with in subsequent DPDs. The Major Locations for Growth strategy is therefore soundly based and fully justified.
89. In my overall conclusion, subject to the changes I specify, the **Sustainable Growth** policies CS1-CS5 and their contribution to the overall Core Strategy are sound as they:
- Have been fully informed at each stage by a Sustainability Appraisal (Test 3);
  - Reflect the guidance on spatial planning set out in national planning policy and are in general conformity with existing and evolving planning guidance and the Regional Spatial Strategy (Test 4);
  - Relate appropriately to the priorities in the Bracknell Forest Sustainable Community Strategy prepared by the Bracknell Forest Partnership (Test 5);
  - Identify an approach which is consistent with the approaches and plans of adjoining authorities (Test 6);
  - Are supported by appropriate evidence where necessary and have been objectively assessed through the Sustainability Appraisal and Strategic Environmental Assessment (Test 7);
  - Include clear monitoring and implementation mechanisms which have been identified with each policy and in the monitoring Appendix to the Core Strategy (Test 8); and
  - Include inherent flexibility within the overall strategy (Test 9)
90. These are high level policies which set the framework – the essential ‘hooks’ – for more detailed allocations and development control (including design) policies in subsequent DPDs.

## **Quality of Life**

**Policy CS6: Limiting the Impact of Development**

**Policy CS7: Design**

**Policy CS8: Recreation and Culture**

### ***Issue 4 – Whether the policies in the Quality of Life Theme will promote and maintain quality environments.***

91. Under this broad issue I shall examine first the Quality of Life theme in general, and then I shall examine in detail the issues that arise under the policies within it, before arriving at my overall conclusion.

92. The policies in the Quality of Life theme set out the principles which, in harmony with other policies in the strategy, intend to enhance the quality of life for other people. This theme works spatially with, and contributes to, achieving the vision, outlined in the **Bracknell Forest Sustainable Community Plan** and these policies are also consistent with the **Berkshire Structure Plan**.

93. The policies in this theme focus on 3 specific elements:

- Mitigating against the impacts that development will have on existing infrastructure and facilities;
- Creating high quality and innovative design respecting, creating and enhancing character and making the most effective use of land; and
- Protecting and improving existing open space and facilities and providing new open space and facilities.

#### ***Issue 4.1 -Whether CS6 meets Tests 4, 7 and 9.***

94. CS6 has had full and proper regard to National Planning Policy (PPS1), Circular 05/05 relating to Planning Obligations, DCLG Planning Obligations Practical Guidance (July 2006) and it has been subject to an on-going and iterative Sustainability Appraisal at each stage in the production of the Core Strategy. CS6 is consistent with existing Regional Policy and it has been developed to complement the emerging Regional Spatial Strategy (SEP).

95. The role of CS6 is as a mitigation tool, which is important to the overall delivery of the CS. It requires provision to be made to address any adverse impacts on existing infrastructure and local facilities arising from any particular development. Either measures are required that form part of the development proposal, or contributions are required towards measures which will address the cumulative impacts of development. These measures may be secured by planning condition, or where appropriate by planning obligations (e.g. restrictions on the development, or requiring parts of the site to be used in a specific way or for a specific purpose in perpetuity). As such, CS6 is not inconsistent with C11/95 or C05/05, particularly as financial contributions can only be secured by means of planning obligations (Test 4B).

96. Paragraph 82 sets out the aim of the policy and paragraphs 83 and 84 set out in broad terms the implementation mechanism to compensate and mitigate the impact of new development. The detailed guidance supporting the policy is set out in the **Limiting the Impact of Development SPD** (LID SPD) adopted in July 2007 (Test 8).

97. CS6 is also consistent with paragraph B21 of C05/05 which makes provision for pooling contributions in a fair and reasonable manner (Test 4B). Paragraphs B22-B24 of C05/05 relate to more detailed matters which are not appropriate for a CS policy. However,

such matters should be considered during negotiations in line with C05/05 or in further detail such as the **LID SPD**.

98. CS6 is flexible to deal with changing circumstances as it does not tie development to specific obligations (e.g. financial contribution toward education provision). Furthermore, should other matters arise such as Planning Gain Supplement (PGS), the policy can be flexible and interpreted to secure changes to what obligations are sought (Test 9).

99. In my conclusion, CS6 is the most appropriate policy in all the circumstances to limit the impact of development. It also provides an important ‘hook’ for the **LID SPD** which provides the detail to which particular infrastructure and facilities are to be secured from new development by s106 obligations. Therefore, it is sound.

***Issue 4.2 - Whether CS7 meets Tests 4, 7 and 9.***

100. CS7 is the strategic design policy within the LDF. It has been prepared using national and regional guidance and has been heavily influenced by CABE’s best practice guide “Making Design Policy Work”.

101. CS7 covers the need for high quality design and it identifies the strategic characteristics of the Borough. Inherent within the policy is the need for inclusive design and the positive benefits that landscape and biodiversity can add to overall quality. It addresses how development is to be delivered and it links to and expands upon CS1 criteria i, iii, iv, and viii.

102. The policy has been founded on a credible evidence base and creates a strategic hook for more detailed policies which will be developed in subsequent DPDs. However, **Green Infrastructure** is a concept now well developed in the RSS. Although the Council recognises and supports the role of Green Infrastructure, it is not overtly recognised in the CS and its wider benefits in terms of education and healthcare are seriously underplayed. Therefore to make the plan sound in respect of Tests 4 and 7 a new paragraph should be inserted after paragraph 88 in accordance with **Changes 28 and E8**.

***Issue 4.3-Whether CS8 is in conformity to the RSS as well as national guidance in PPS17 and whether it is sufficiently flexible to deal with changing circumstances.***

103. Historically, recreational facilities have played a major part in the evolution of Bracknell Forest from the inception of New Town status through to the present day. Their value is pertinent to local Quality of Life as demonstrated in the Council’s evidence base. CS8 intends to raise the quality of recreational facilities in the Borough.

104. CS8 is consistent with, and conforms to, strategic objectives and policies in the existing RSS (RPG9 Policies Q2, E6 & RE11) and emerging RSS (SEP Policies CC1, CC12, BE1, S3 & S7); it is consistent with national policies (both existing and emerging) PPS1, PPS3, the consultation supplement to PPS1 and in particular, it reflects PPG17 and does not go beyond that guidance. CS8 serves as an important link to CS2 to ensure that the importance of Recreational Facilities is understood when looking to allocate land for new development.

105. Supporting paragraph 97 is consistent with Circular 05/05 but it was not intended to identify that new development would be expected to remedy existing deficiencies. To make the plan sound under Test 4B it should be re-worded in accordance with **Change 29**.

106. The policy is flexible enough to deal with the loss of recreational facilities provided there are exceptional circumstances and there is appropriate replacement. Overall the

policy is sufficiently flexible to deal with changing circumstances should they arise. Consideration of a specific proposal such as relocating Bracknell Town Football Club should take place through the emerging Development Management Housing and Commercial Policies DPD.

107. My overall conclusion is that, subject to the changes I have specified, the policies in the Quality of Life theme will promote and maintain quality environments and their contribution to the overall Core Strategy are sound. In particular:

- They reflect the guidance on spatial planning set out in national planning policy and are in general conformity with existing and evolving planning guidance (**Test 4**);
- They relate appropriately to the priorities in the Bracknell Forest Sustainable Community Strategy prepared by the Bracknell Forest Partnership (**Test 5**);
- Identify an approach which is consistent with the approaches and plans of adjoining authorities (**Test 6**);
- They are supported by appropriate evidence where necessary and have been objectively assessed through the Sustainability Appraisal and Strategic Environmental Assessment (**Test 7**);
- Clear monitoring and implementation mechanisms have been identified with each policy and in the monitoring Appendix to the Core Strategy (**Test 8**);
- The policies include inherent flexibility within the overall strategy (**Test 9**).

## ***The Environment Theme***

**Policy CS9 – Development on Land Outside Settlements**

**Policy CS10 – Sustainable Resources**

**Policy CS11: Renewable Energy Generation**

**Policy CS12: Renewable energy**

**Policy CS13: Sustainable Waste Management**

**Policy CS14: Thames Basin Heaths *Special Protection Area* (TBH SPA)**

***Issue 5 – Whether the policies in the Environment Theme will protect and enhance the environment. In particular, whether Policies CS9 –CS14 will maintain and improve the natural environment; avoid or mitigate the effects of new development upon the natural environment; promote the sustainable use and disposal of resources; and mitigate against and adapt to climate change***

108. Under this broad issue I shall examine first the Environment Theme in general, and then I shall examine in detail the issues that arise under the policies within it, before arriving at my overall conclusion.

109. Policies within the **Environment Theme** seek to recognise that there are areas of the Borough that should be protected from development including land covered by National Policy designations e.g. the Green Belt, and land important for its nature conservation value e.g. TBH SPA, and local designations such as Wildlife Heritage sites; and they aim to broadly address the issues of climate change and sustainable resource use, which are fundamental to achieving the CS Vision for sustainable growth in the Borough. These policies can have a positive impact both on the fabric of the built environment and where possible, can enable behavioural changes by providing appropriate infrastructure and facilities to achieve a more sustainable lifestyle.

**Issue 5.1- Whether the strategy and principles for the protection of land outside settlements is soundly based and fully justified.**

110. As already acknowledged, CS9 is closely linked to the Sustainable Growth policies (in particular CS2, CS4, CS5). CS1 promotes sustainable development principles and CS9 seeks to protect the countryside for its own sake (compatible with CS1 viii). CS2 recognises that in following the sequential approach to the allocation of land, it may be necessary to allocate development in areas outside the settlement boundary. On land designations outside of defined settlements (excluding land considered under CS4 and CS5) CS9 will be applicable.
111. CS9 is important because it provides the underlying planning policy for the 70% of the Borough (7,700 ha) which lies outside of settlements. It provides an overarching approach to the need to protect land outside settlements, including the GB and important gaps, consistent with national and regional guidance, and informed by the technical background studies and the need to meet future growth.
112. To clarify, and to distinguish the general and specific elements of the policy, I support **change 30**. This proposed change of wording comprises 2 parts: first a statement to protect the rural areas of the Borough from development that would adversely affect their character, appearance and function and secondly to provide direction in respect of 2 associated matters – **Gaps** and **GB**. As I conclude elsewhere, the gaps should be defined in a future DPD when settlement boundaries are reviewed. An additional bullet point is required to paragraph 111 to make this clear and to provide consistency with the text in paragraphs 107 and 114 (**change E10**).

**Protection of the countryside**

113. CS9 is consistent with PPS7 Key Principle (iv). And, it is consistent with the site allocation principles of CS2 of focussing development in, or next to, existing settlements. It is therefore consistent with Objective (ii) of PPS7. CS9 gives sufficient strategic recognition to development necessary for appropriate uses outside of defined settlements. The supporting text at paragraph 107 includes both farming and forestry, essential utilities, equine related activities or other uses that are allowed outside major development areas. Further detail, if appropriate will be included in other relevant LDDs (e.g. **Development Management – Environment, Recreation and Transport DPD**). In the interim, Policies GB1,2,3,4, and 5 relating to GB have been saved.
114. CS9 is capable of flexible application. Whilst implementing the relatively more restrictive policy provisions applying in rural areas than in settlements, CS9 is able to support the continued existence of particular uses e.g. Warfield Park Mobile Home Site, identified Major Employment Sites (Crowthorne Business Estate, Broadmoor Hospital), and Major Developed Sites in the GB (Syngenta). Regeneration of these sites will be supported if proved to be acceptable in planning terms. However, I agree with the Council that the more detailed issues related to the proactive management of development in rural areas are more appropriate to subsequent LDDs (e.g. Development Management – Environment, Recreation and Transport DPD).

**Gaps**

115. Given the clear identification of the locations of development in the CS; the national policy protection provided via PPS7 for the countryside *per se* (which is repeated in CS9); and the fact that the Council has not sought to revise the boundaries of the Green Belt (either by extension or reduction), it is questionable whether it is necessary to identify Strategic and/or Local Gaps. PPS7 does not specifically mention gaps, neither does it categorically preclude them. Although the Draft SEP includes a policy for Strategic Gaps the document is still emerging and still shaping.
116. It is not the Council’s intention to bring separate settlements together although this is something which it acknowledges might become necessary. The Council says that

whilst there is currently a criteria based policy in adopted LP (EN8) it has proved to be inadequate, in as much as justification is needed for the size of gap to be retained in every application (and/or appeal). The Council contends it would therefore be preferable to have clearly defined gaps and views were sought on the preferred location of gaps through the Regulation 26 Pre-submission consultation.

117. In order to plan for sustainable growth whilst preventing the coalescence of settlements, and in the light of the areas which are under pressure for development, the Council commissioned a study (Entec Study ETS007) to inform the CS. A landscape character assessment was undertaken and each of the landscape character areas identified was assessed to determine the landscape capacity of each area to accept development. Primary criteria were identified for gaps/green wedges which provide a basis for confirming the **principle** of which areas should be identified for gaps/green wedges. Secondary criteria were identified as a basis for **defining the areas more precisely** and providing justification for their designations. As a consequence, the Council identified the 7 gaps which are shown on the Key Diagram and submission CS Proposals Map, 4 of which are **Strategic Gaps** and 3 of which are **Local Gaps**.

118. However, there are errors in the Entec Study and therefore its credibility is in doubt (EQ6). I shall therefore consider the merits of each of the gaps in turn.

### **Local Gaps**

119. The proposed Local Gaps have been so named since none of them meets the emerging SEP Strategic Gap criteria because the population of one of the settlements involved is less than 10,000.

### **Gap 1 (Bracknell-Binfield)**

120. It seems to me that the Entec Study has erroneously identified Gap 1 as lying between (the north side of) Bracknell and (the east side of) Binfield (EQ6). It is clear from the Parish Boundaries (Core Strategy – Map 3) that this gap currently lies between 2 distinct parts of Binfield i.e. between the northern wing and the eastern wing of Binfield. In future, it would also lie between Binfield and the proposed urban extension (CS5) to the east. In other words, between the Parishes of Binfield and Warfield.

121. In any event, Binfield does not have a settlement boundary of its own distinct from Bracknell. To all intents and purposes the 2 have already coalesced to the south and east of Binfield and in a location some considerable distance beyond the triangle formed by Popeswood Road, St Marks Road and London Road. Therefore, the small gap shown on the Key Diagram between the northern arm of Binfield at the base of this triangle is misleading. To make the plan sound (**Test 7**) the Key diagram should be corrected (**change IR6**).

122. The area to the east of Binfield and the north of Bracknell is largely dominated by the Blue Mountain Golf Course, which is a public golf course. I accept that it is important to retain the openness of the area particularly in the light of the CS5 urban extension. Furthermore, it would be desirable to retain the settlement pattern, such as it exists, to prevent further coalescence. As such, there is some support for Local Gap 1.

### **Gap 2 (Binfield-Wokingham)**

123. Gap 2 lies to the west of the northern arm of Binfield and to the north of Amen Corner. However, it serves to separate one wing of Binfield from another wing of Binfield. Therefore, I disagree with the Entec Study (ETS007), which says that Gap 2 in part serves to separate Bracknell from Binfield (**Test 7**).

124. Binfield and Wokingham are distinct settlements with clearly separate identities, separated by a physical gap of about 1 mile. Since I have already concluded that Binfield and Bracknell are contiguous, I agree with Wokingham BC that Gap 2 serves to separate 2 major conurbations each of which has a population greater than 10,000.

Furthermore, I agree with Wokingham BC that the settlement pattern of Binfield/Bracknell and Wokingham is akin to a butterfly with each town reflecting one wing. Accordingly, it would be illogical for the gap to the south to be a Strategic Gap whilst the gap to the north would be only a Local Gap. (Test 4A/4B). Therefore Gap 2 should be a Strategic Gap. Subject to outcome of SEP, this gap should be defined in a future joint LDD with Wokingham BC (**Test 6**).

125. In the interim, I agree that Bracknell has no control over what happens on the Wokingham BC side of the boundary. Nevertheless, since the Key Diagram is merely diagrammatic, it could show the Strategic Gaps spanning the boundary **change IR4**.

#### **Gap 4 (Bracknell-North Ascot)**

126. Bracknell and Ascot have very distinct and separate identities. However, the localised patterns of development are less coherent than in other parts of Bracknell’s urban fringe due to the number of small clusters of development within this gap e.g. Chavey Down and Winkfield. The 2 wards which make up Ascot have a combined population of 11,604 but they comprise a number of dispersed settlement areas. The area closest to Bracknell and most subject to the threat of coalescence is North Ascot which has a population of 7,500.

127. But, it seems to me that North Ascot is separated from Bracknell by the Green Belt, albeit by a relatively narrow strip of Green Belt. Therefore, there can be no real threat of coalescence. Indeed, the Council has not sought to extend the Green Belt in this location. The proposed Gap 4 would therefore more serve to separate Bracknell from the settlements of Chavey Down, Winkfield Row and Hayley Green. As such, I do not feel there is sufficient support for Gap 4 to be defined as a local gap. It should therefore be removed from the Key Diagram **change IR7** (Tests 4,6,7). There is acknowledgement elsewhere that Warfield Park Homes is a potentially appropriate use under CS9 subject to a suitable scheme coming forward.

### **Strategic Gaps**

#### **Gap 3 (Bracknell-Wokingham)**

128. Gap 3 is important to maintain the distinctly separate identities of the large settlements of Wokingham and Bracknell and to prevent coalescence. Furthermore, I concur with the Entec Study first, that “BFBC should retain land to the west of Amen Corner as undeveloped to maintain some continuity with the Country Park to the south and to help maintain separation between Bracknell and Wokingham”. In particular, as it lies at the pinch point between the two settlements. Secondly, that “close co-ordination with the neighbouring authority is essential”. As stated above, subject to outcome of SEP, this gap should be defined in a future joint LDD with Wokingham B.C. (**Test 6**).

129. I understand that whilst the proposed urban extension (Policy CS4) extends to the Bracknell Forest/Wokingham boundary, the work being undertaken through the preparation of an Area Action Plan will explore options for maintaining a gap in this location beginning with the present Issues and Options stage. This will include joint working with Wokingham Borough Council, through their Core Strategy and the Area Action Plan. Policy CS4 iv needs to be re-worded to refer to Strategic Gap (not local gap) and Binfield/Bracknell (not Binfield) – **change IR8**.

#### **Gap 5 (Crowthorne-Bracknell)**

130. Crowthorne has evolved around Wellington College (to the south-west) and Broadmoor Hospital (to the east). Its identity is distinctly different from Bracknell. Gap 5 would retain the strong physical and visual separation between the 2 settlements. I agree with the Entec Study (ETS007) which acknowledges that development at the Crowthorne Business Estate could potentially be accommodated without harming the function of the gap although it would need to be subject to more detailed landscape assessment.

131. Gap 5 appears as a more or less horizontal (East-West) line on the CS Key Diagram and the Entec Key diagram but more as a vertical (North-south) line on the submission Proposals Map joining up with Gap 3 to the north and Gap 6 to the south snaking around the east side of Broadmoor. Whilst I can see that the A3095 would provide a suitable eastern boundary for Gap 5, there would seem to be no need to have a gap to the east of Broadmoor, since there is no urban area to the east for some considerable distance and most of the intervening land is within TBH SPA. But, as I conclude elsewhere, the boundary of the Gaps should be defined in a future DPD and struck from the submission CS Proposals Map.

**Gap 6 (Sandhurst-Crowthorne)**

132. Crowthorne and Sandhurst are distinctly separate settlements although physically very close. Gap 6, which broadly lies between the A321 to the west and the A3095 to the east, is important to retain their separate identities and prevent coalescence. Some of this land is within TBH SPA. Woodland cover enhances the visual separation and also serves to screen substantial developments which do exist in the gap, namely Wellington College and Broadmoor Hospital. There is scope for further development on both sites subject to further detailed consideration. But, I concur with the Entec Study that Broadmoor should be excluded from Gap policy since it contributes less to the gap by virtue of its location close to the eastern edge of Crowthorne.

**Gap 7 (Sandhurst-Yateley)**

133. Sandhurst and Yateley are physically very close but distinctly separate settlements. Although the Blackwater Valley and associated gravel extraction has helped to retain their separation, a gap would be important to retain their separate identities and prevent coalescence. As the administrative boundary runs along the Blackwater River, any strategic Gap policy would need to be carefully co-ordinated with Hart D.C. Of all the gaps identified this is the one most consistently narrow. However, dense tree cover and contrasting land uses enhance the visual separation of settlements. Again, subject to outcome of SEP, this gap should be defined in a future joint LDD with Hart D.C. (Test 6).

134. On the SCSPM, Gaps 3,5,6,7 appear to run or merge into one continuous band of open countryside which snakes along the western and south-western boundary of BFBC, albeit this is not the way they are shown on the Key Diagram. However, in my view, there is support for Gap 2 to form part of a continuous Strategic Gap with the land at the western end of Amen Corner and Gap 3. Therefore the Key Diagram should be amended to show one continuous Strategic Gap straddling the boundary with Wokingham BC (change IR4).

135. I acknowledge that there is a history of gaps in Berkshire and I agree that there is a need to protect the setting and identity of settlements and avoid their coalescence. However, the CS should be broad brush and give direction. Although I have found support for the broad location of some of the gaps shown on the Key Diagram, it seems to me that the detailed boundaries should be the subject of a future DPD when they can be subject to public consultation. There is no evidence to suggest that the Entec Study was subject to public consultation, therefore I do not see that it should be taken as a given that the boundaries described/suggested in the Entec Study for the gaps should be put forward for adoption on the submission Proposals Map without further public consultation. As such, the Gaps should be removed from the submission CS Proposals Map. I also note that the submission SEP at paras 1.35 and 1.38 says that where a gap crosses local authority boundaries, the local authorities should prepare a joint LDD for the gap. I understand that subject to outcome of SEP process the Council will, along with other local authorities, consider the most appropriate way to jointly deal with more detailed work on issues such as gaps (EQ6).

136. In conclusion, all gaps should be struck from the SCSPM. However, there is support for keeping some of the gaps on the Key Diagram for detailed consideration through a

lower tier DPD if the regional approach in the adopted RSS gives justification for them. In summary, there is some support for a Local Gap between Bracknell-Binfield (Gap 1) but not for a Local Gap between Bracknell-North Ascot (Gap 4). As such, Gap 4 should be struck from the Key Diagram. There is support for a continuous Strategic Gap to be shown on the Key Diagram straddling the boundary with Wokingham BC and BFBC alongside the west of Binfield, Amen Corner and Bracknell (Gaps 2 and 3). There is support for a Strategic Gap between Crowthorne-Bracknell (Gap 5) but not extending east of Broadmoor; and as currently shown on the Key Diagram between Sandhurst-Crowthorne (Gap 6). And, there is support for a Strategic Gap between Sandhurst-Yateley which should be shown straddling the boundary with Hart DC (change IR4). Furthermore, the list of Gaps in paragraph 119 should be amended accordingly change IR9.

137. Such Gaps would be justified in accordance with the provisions of the emerging RSS (SEP Policy CC10b and paragraph 1.38); Berkshire Structure Plan 2001-2016 (Policy DP7); BFB Local Plan (Policy EN8 wherein the word “function” subsumes “gap policy” from previous local plans); consultation feedback from the Core Strategy Issues and Options Stage (in the Statement of Compliance (LD004), The Report of Consultation at Regulation 25; and the Sustainability Appraisal.

***Issue 5.2 – Whether there is a need to revise the boundary of the Green Belt.***

138. Turning to the Green Belt, it seems to me that the function of defining the “general extent” of the Green Belt, formerly a matter for structure plans, must now fall to the Regional Spatial Strategy at the regional scale and the Core Strategy at a more local scale with the justification for any detailed change to boundaries being contained in another DPD. Furthermore, the guidance in paragraphs 2.6 and 2.7 of PPG2 on defining boundaries still applies. I interpret these paragraphs, in terms of the LDF process, to mean that the exceptional circumstances required to amend the “general extent” of the Green Belt should be set out in the CS within any context set by the RSS. There needs to be robust evidence that supports the contention that there are exceptional circumstances.

139. RPG9 and the emerging SEP both make little reference to the Green Belt and do not review it. The Green Belt boundary was reviewed during the *Green Belt* Local Plan for Berkshire 1985 and has remained unchanged since then. The existing Green Belt is strong and defensible following well defined features (e.g. roads and a water course). I have not been provided with any exceptional circumstances which would warrant a review of the boundaries of the Green Belt at the present time. In particular, sufficient sites can be found outside the Green Belt to meet the housing needs of the Borough. In the event that a review of the Core Strategy is triggered, then the Green Belt could be reviewed at a future date.

140. The land east of Ascot Priory has not been the subject of examination by the Council under a Sustainability Appraisal and it has not been the subject of the same consideration process as other sites (Regulation 25 consultation and Regulation 26 public participation); so cannot be comparatively assessed. Furthermore, the site lies in the Green Belt and is open space of public value. As such, it is not simply a recreational notation but also a visual consideration helping to define the character of the area. Accordingly, the site should not be utilised for residential purposes or considered for such a use in the CS.

141. However, to make it explicit that a specific development control policy will be developed for the Syngenta site (which is a Major Developed Site in the GB), the wording of the supporting text at paragraph 114 should be amended in line with change 31 (Test 6). And, to make clear that CS9 will be implemented through further documents and provide consistency with the text at paragraphs 107 and 114, an

additional bullet point should be added to (the second) paragraph 111 page 21 in line with **change E10** (Test 6).

142. Since the term ‘exceptional circumstances’ has a particular meaning in planning terms in relation to the Green Belt (PPG2), the term could unintentionally be interpreted as a restrictive barrier to development. Accordingly, paragraphs 205 and 226 should be amended in accordance with **change 45 and 53** (Test 4B).

#### **Adjustment to settlement boundaries**

143. There appears to be some confusion in the representations that CS9 might be a development control policy and that it will be applied before adjustments to settlement boundaries (to be detailed in future DPDs) to accommodate necessary development. However, the Submission CS Proposals Map “rolls forward” the settlement boundaries of BFB LP Proposals Map in as much as no changes are proposed to settlement/countryside boundaries beyond those consequential upon Policies CS4 and CS5. CS9 does not define any such boundary and will be immediately operational upon adoption. Consequently, once adopted the land which comprises CS4 and CS5 will no longer be considered open countryside nor subject to CS9. Therefore, CS4 and CS5 are not inconsistent with CS9.

144. In my conclusion, subject to the changes I have indicated are necessary, CS9 which concerns land outside settlements, reflects local circumstances, it is consistent with consultation responses, SA, and higher level planning policy. As such, it is soundly based and fully justified.

***Issue 5.3 -Whether CS10 Sustainable Resources has had sufficient regard to other relevant plans, policies and strategies; whether it is consistent with national planning policy; whether it represents the most appropriate policy for the prudent use of natural resources (as required by PPS1) in all the circumstances; whether it is within the remit of the planning system to determine the functional qualities of individual buildings (BREEAM).***

145. Sustainability is at the heart of the Core Strategy; the SA identified the need for policies relating to sustainable resource use to mitigate against potential negative effects arising from development proposed within the CS. This is consistent with national guidance and policy which has placed sustainable development at the heart of the land use planning system in order to address the impacts that the built environment has upon resources such as waste water, energy and the use of materials. In particular, PPS1 stresses that policies should reduce energy use, promote renewable energy and take climate change into account in the location and design of development.

146. Policy CS10 has had regard to the UK Sustainable Development Strategy and the Energy White Paper and it is consistent with SEP Policies W2, NRM1, NRM3, NRM4, and EN1. It is also consistent with PPS23 and PPS25.

147. CS10 aims for a reduction in carbon emissions through energy conservation measures to reduce energy demand. CS10 requires developers to demonstrate how current best practice in the sustainable use of natural resources has been incorporated into their scheme. It aims to encourage developments to integrate sustainability at an early design stage, therefore promoting resource efficiency, such as reducing water consumption and energy use at the most cost-effective stage.

148. CS10 requires all developments to demonstrate how they are able to make prudent use of natural resources, such as energy, water, biodiversity etc. The policy addresses direct impacts on resource use during the whole lifecycle of a development, through construction, use of the building, then its demolition and waste. Furthermore, the policy facilitates prudent use of resources through behavioural change by providing appropriate infrastructure and facilities to achieve a more sustainable lifestyle, such as providing space for household recycling facilities.

149. CS10 is based upon current best practice and does not prescribe the most appropriate measures for achieving sustainable resource management, as these will differ between locations and types of development. Compliance with CS10 will be through evaluation of a Sustainability Statement and a forthcoming **SPD on Sustainable Resource Management**. The key function of the policy is to increase the sustainability of both a development site as a whole, and/or individual buildings. Therefore, CS10 is sufficiently flexible to allow it to be applied to development of all types and scales.

150. I agree with the Council that the issue of sustainable resource use is within the remit of the planning system. For example, planning decisions on site selection, road access arrangements, building orientation, spacing and landscape design can all influence the ability of new development to effectively employ techniques such as passive solar design and natural ventilation. These can be used in conjunction with other efficiency measures addressed through Building Regulations, such as increasing insulation, double glazing or draught proofing. Furthermore, guidance documents which have emerged since the CS was submitted support this. For example, paragraph 2.9 of *Building a Greener future: Towards Zero Carbon Development* views the planning system, the Code for Sustainable Homes and Building Regulations as the 3 main policy levers, which are distinct but complementary. Therefore, to update the plan, I support **change 32** to include reference to the Code for Sustainable Homes and Building Regulations in paragraph 115 as other policy levers to achieve a reduction in carbon.

151. In my conclusion, subject to the above change, CS10 is based upon, and is consistent with, current planning policy and creates a strategic hook for more detailed policies which will be developed in subsequent DPDs. As such, it meets tests of soundness 4A, 4B, 4C, 6, 7, 9.

***Issue 5.4 -Whether CS11 Renewable Energy Generation should provide greater recognition of the need to take nature conservation and landscape impacts into account.***

152. PPS1 promotes the development of renewable energy resources. PPS22 in ¶18 provides for local planning authorities to include in LDDs policies requiring some of the energy to be used in new development to come from on-site renewable sources. It also states that LPAs should set out the key criteria that will be applied in assessing planning applications for renewable energy projects. But these policies should ensure that use of renewable energy is viable and they should not place an undue burden on developers, such as requiring all the energy to be used in a development to be from on-site renewable generation.

153. CS11 states that development for the generation of renewable energy will be permitted unless there are unacceptable locational or other impacts. The supporting text of CS11 sets out examples of such impacts and the locational issues and other designations important in the Borough, which may affect the provision of renewable energy schemes. Since SEP Policy EN5 sets a policy framework for addressing the impacts on landscape and sensitive areas, it is not necessary to reiterate this protection for international and national sites of nature conservation and landscape character within the CS. It will be more appropriate to cover specific localised issues through future LDDs eg **Sustainable Resource Management SPD** and **Development Management DPDs**. CS11 is therefore consistent with current planning policy and meets soundness **Test 4**.

**Issue 5.5 - Whether CS12: Renewable Energy has had sufficient regard to other relevant plans, policies and strategies (South East Plan) in particular the need to ensure that the delivery of land uses and developments needed by local communities is not unnecessarily hindered or delayed; whether CS12 is flexible enough to deal with changing circumstances, or to recognise site specific circumstances in particular, where it will not be viable or suitable to incorporate renewable energy equipment to meet either 10% or 20% overall energy requirements; whether it reflects national guidance in PPS22; whether there is a robust and credible evidence base to justify the targets in CS12 and paragraphs 125-129.**

**Other relevant plans, policies and strategies**

154. There is now an overwhelming body of scientific evidence indicating that climate change is a serious and urgent issue, and that carbon dioxide emissions arising from human activities are the principle cause. It is apparent there is a pressing need to address this in order to reduce long-term effects on the environment, society and the economy.
155. CS12 has had regard to, and is consistent with SEP Policies EN1, EN4 and EN6. Although the PPS1 Supplement on Climate Change post-dates the submission CS, a scoping exercise has indicated the document is in compliance with it (OD011).
156. If a developer can satisfy the Council that the provision of renewable energy on-site cannot be achieved, the requirement for 20% of a development’s energy budget to be met by on-site renewables can be reduced to ensure delivery is not delayed. Furthermore, the implications of the provision of on-site renewable energy will be a component of the assessment to ensure the housing sites to be allocated in the Development Management DPD are suitable, achievable and deliverable. Development and monitoring of the **Development Management DPD** and the identification of sites will address this issue (Tests 4 and 8).

**Flexibility**

157. The supporting text at paragraph 124 sets the context for CS12. The government’s aspiration, as set out in The Energy White Paper, is to generate 20% of UK electricity from renewable energy sources by 2020 i.e. within the lifetime of the CS. Policy CS12 recognises the need to reduce carbon dioxide emissions through the provision of renewable energy. The principle of providing 10% of a building’s energy from on-site renewable sources has been established in local planning policy since 2003 (The Merton Rule) and is currently implemented across an estimated 100 local authorities. CS12 aims to stretch this target to be in line with government aspirations, where the characteristics of the site or the development permit. The Council intends to reduce the thresholds for the typical 10% figure for renewable energy provision, and to require 20% above the reduced thresholds.
158. Whilst the percentages of renewable energy sought by the policy are generally higher and more challenging than the 10% adopted in a number of other local plans, flexibility is built into CS12 by requiring at least 10% of energy demand to be provided from on-site renewable energy generation, with larger developments required to provide 20%. This allows for the level to be ramped up through SPD to continue to meet basic targets as they increase, for example to achieve the government’s ambition of zero carbon homes by 2016.
159. Furthermore, (as already stated) there is flexibility for developments to reduce the higher standard of 20% for larger developments as set out in the supporting text (paragraph 131). This will be permitted if it can be demonstrated that a higher level cannot be achieved as a result of local circumstances or viability.

160. If the lower level of 10% cannot be met, given current technologies and taking into account local circumstances and viability, these exceptions can be dealt with through the inherent flexibility in the Development Plan system. The CS policies seek to maximise generation of renewable energy while minimising energy usage. This must always be tempered by need to ensure delivery of land uses and developments needed by local communities is not unnecessarily hindered or delayed. I am satisfied that policies are sufficiently flexible for this. **Test 9** is therefore met.

**Robust and credible evidence base for the targets in CS12**

161. The strategic framework in Policies CS11 and CS12 together with the targets for on-site renewable energy in CS 12 reflect the guidance in PPS22. The lower level of 10% has been proven as deliverable and achievable in several Local Authority areas and is the suggested percentage for on-site renewable energy production within emerging SEP Policy E1. This is also in line with the Energy White Paper target to reduce carbon dioxide emissions by 10% by 2010. **Test 7** is met.

***Issue 5.6 -Whether it is clear how CS13: Sustainable Waste Management relates to the Waste and Minerals LDF; whether it is the most appropriate in all the circumstances having regard to affordability and whether it is sufficiently flexible with regard to recycling.***

162. CS13 is a direct response to PPS1 which states that Development Plan policies should take account of environmental issues such as the management of waste in ways which protect the environment and human health, including producing less waste and using it as a resource wherever possible.

163. “County matters” (such as waste and minerals) are undertaken “jointly” by the 6 Unitary Authorities (including Bracknell Forest Borough Council) set up to replace the former Berkshire County Council. At present, waste issues are dealt with under the adopted Berkshire Structure Plan 1991-2016 and the existing Waste Local Plan for Berkshire adopted in December 1998, which accords with a Waste Management Plan adopted in July 1995. Both documents contain policies which have been “saved” by the Secretary of State.

164. The 6 Berkshire Unitary Authorities are in the process of preparing a **Joint Minerals and Waste LDF**. A **Joint Minerals and Waste Core Strategy** will be prepared (a Regulation 26 consultation will take place in September 2007) whilst Waste and Minerals DPDs for development management purposes will be prepared individually (Regulation 25 consultations will also take place in September 2007).

165. Policy CS13 has been prepared in advance of the Waste and Minerals LDF and represents the mechanism through which the provisions of the Waste and Minerals LDF and other local strategies such as Waste Management Plans are brought together for implementation purposes. The policy will also act as a link to more detailed guidance such as the Council’s **Sustainable Resource Management DPD** which commenced in April 2007 and the connection by which minerals and waste matters are to be included on Bracknell Forest Borough LDF Proposals Map (as per paragraph 22 of PPS12).

166. CS13 provides a strategic link to the Waste Local Development Framework; waste management proposals; and the waste disposal partnership entered into by the Council with Wokingham and Reading Borough Councils for implementation purposes. Therefore, I consider that CS13 has had sufficient regard to the Waste and Minerals LDF (Test 4A).

167. CS13 sets out the Council’s intentions in respect of its waste management element of its Sustainable Development Principles underpinning the CS. The matter of cost/affordability is too detailed for the CS. Pending subsequent consideration of this matter in the **Sustainable Resource Management DPD**, the inherent flexibility in the

planning system enables cost/affordability to be a material consideration. More importantly, the nature of the policy will reduce costs in the long run (e.g. landfill tax).

168. CS13 seeks to ensure that development maximises opportunities for recycling through objective (ii) which contains no controlling or threshold provisions. I am satisfied that the policy allows for flexibility in the way that recycling is considered and that additional guidance will be provided through further DPDs (Test 9).

169. In my conclusion CS13 is sound and represents the most appropriate approach to achieving sustainable management of waste at the CS level (Test 7).

170. My overall conclusion is that, subject to **change 32**, Policies CS10-CS13 in **The Environment Theme** (which aim to promote the sustainable use and disposal of resources and mitigate and adapt to climate change):

- have been influenced by and have had proper regard to relevant plans policies and legislation, including the Energy White Paper, national planning policy (in particular PPS1, PPS22) and regional policy (in the emerging SEP) (Test 4);
- Identify an approach which is consistent with the approaches and plans of adjoining authorities (Test 6);
- Are supported by a robust and credible evidence base (Test 7);
- Include sufficient flexibility within the overall strategy to deal with changing circumstances, with more detail provided through a Supplementary Planning Document on Sustainable Resource Management (Test 9).

***Issue 5.7 - Whether Policy CS14 (Thames Basin Heaths Special Protection Area) provides the most appropriate strategic framework in all the circumstances for avoidance and mitigation measures to provide protection for the SPA whilst meeting the sustainable development needs of the Borough. In particular, whether CS14 has had sufficient regard to other plans, policies and strategies; whether CS14 and paragraphs 144 and 145 have been based upon a robust and credible evidence base; whether paragraph 144 is consistent with Circular 06/2005; whether CS14 and its supporting text is clear in respect of proposals within 400m of the SPA; whether there are clear mechanisms for implementation and monitoring of CS14; whether CS14 is sufficiently flexible to deal with changing circumstances; whether CS14 represents the most appropriate strategy.***

171. The Council is to be commended for the inclusion of a bespoke policy on TBH SPA and for the positive way in which it has worked towards reaching a resolution in the light of rapidly evolving knowledge and policy, and in advance of the adoption of the SEP. Even if CS14 might prove to be more stringent than the Draft Delivery Plan (DDP), CS14 would not be in conflict with the spirit of DDP.

#### **Other relevant plans, policies and strategies**

172. The Thames Basin Heaths is designated as a Special Protection Area (TBH SPA) under the EC Directive on the Conservation of Natural Habitats and Wildlife Flora and Fauna (the “Habitats Directive”) to protect 3 important bird species –the Dartford Warbler, nightjar and woodlark.

173. The legislative framework for CS14 relates to the UK Habitats Regulations, which are transposed from the EU Habitats Directive. A European Court of Justice (ECJ) Judgement in 2006 required that the Habitats Regulations be modified to properly assess the impacts of land use plans on Natura 2000 sites, such as TBH SPA.

174. During a Habitats Regulations screening exercise, the Council concluded, in consultation with Natural England, that the level and distribution of housing allocated within the Core Strategy DPD was likely to have a significant effect on the integrity of

the SPA. As a result, an **Appropriate Assessment** was carried out to assess the implications of the effects of the plan for the site’s conservation objectives.

175. An Avoidance and Mitigation Strategy was prepared, alongside the Appropriate Assessment, to enable it to be ascertained that the plan would not adversely affect the integrity of the site. The Appropriate Assessment identified the need for a specific policy relating to the SPA in order to ensure that the consideration of potential significant adverse effects is addressed at a strategic level. It was also considered that the impact of the SPA should be balanced with other planning needs. The aim of CS14 is to provide protection for the SPA, whilst meeting the sustainable development needs of the Borough.
176. CS14 directly links to the **Sustainable Community Plan** Priority 2: Protecting and enhancing the environment. Specifically it relates to 2(b) increase biodiversity and 2(e) reduce impact of local development on the natural environment. This is achieved by mitigating against the impact of development on the protected bird species (**Test 5**).
177. The **Core Strategy Vision** recognises the importance of maintaining the integrity of the SPA whilst allowing sustainable development to take place and CS14 links specifically to **Spatial Objective I**: To maintain and improve the built and natural environment, and to mitigate the effects of new development upon the natural and historic environment.
178. PPS9 *Biodiversity and Geological Conservation* and the accompanying Circular 06/2005 *Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System* stress that plan policies should aim to maintain and enhance, restore or add to biodiversity by giving appropriate weight to designated sites of international importance and protected species. However, both of these documents pre-date the ECJ Judgement. Furthermore, both documents state that since international sites enjoy statutory protection, specific policies in respect of these sites should not be included in LDDs. However, CS14 does not aim to duplicate this statutory protection for the SPA, but instead it sets out the locally distinctive circumstances which are likely to result in a significant effect and the framework for implementing measures to avoid and mitigate potential adverse effects.
179. CS14 is consistent with policies within RPG9 which state that priority should be given to protecting areas designated at international level for their intrinsic nature conservation value (Policy E1) and that the Region’s biodiversity should be maintained and enhanced with positive action (Policy E2). CS14 is also consistent with SEP submission policies WCBV9 and LF11 which recognise that within the LDFs of relevant local authorities, policies are necessary that refer to the need to avoid or mitigate any potential adverse effects on the SPA.
180. I am therefore satisfied that CS14, the supporting text, the SPA TBD, and the SPA Implementation Strategy have had sufficient and proper regard to other relevant plans, policies and legislation including the Habitats Regulations, national planning policy (in particular PPS9) and the emerging SEP (**Test 4**).

#### **Evidence base**

181. In 2005, Natural England (then English Nature) started to advise LPAs that any net increase in residential dwellings within a 5km straight-line distance of the boundary of the SPA was likely to have a significant effect on the integrity of the site, in combination with other development. In support of this a **draft Delivery Plan** was produced (first draft 10 July 2005, second draft 26 May 2006) which set out the evidence relating to the urban impacts on the SPA. This included a series of English Nature Research Reports, which highlighted recreational pressure as having an impact on the ecology of the heathlands. Reference was also made to a literature review by Underhill-Day (2005) which provides a summary of evidence relating to impacts of urbanisation on lowland

heathland, with particular reference to heathland birds. In addition, Part 2 of the **Template Supplementary Planning Document** produced by Natural England on 28 April 2006 provided a summary of all potential impacts on the SPA. The TBD does not aim to replicate this substantial evidence base linking urban impacts and bird populations, but makes reference to the relevant documents throughout.

182. Sections 3.3 and 3.4 of the draft Delivery Plan and sections 5.32 and 5.34 of TBH Template SPD summarise the research relating to visitor use of TBH SPA. This provides evidence for the specific zone 5km from the boundary of the SPA, within which residential development is likely to have a significant effect. In addition, the Council collected local visitor survey information to increase understanding of visitor patterns within a local context which is presented within section 14.12 of the SPA TBD (ITS002).

183. Furthermore, TBD has been produced by working closely with Natural England, the Royal Society for the Protection of Birds (RSPB) and Berks, Bucks and Oxon Wildlife Trust (BBOWT); thus all bodies have had an input into this evidence. The Statement of Common Ground with Natural England (SCG/0038) confirms that a few minor changes are required to TBD to enable them to agree with the TBD including the evidence upon which it is based. These changes include reference to the suitability of South Hill Park as a SANG.

184. Although CS14 is based upon the best available evidence at the current time, the Council recognises that there is a need to review and amend the TBD if the supporting evidence base changes and/or the monitoring information collected indicates that the avoidance and mitigation measures should be altered. Any such review will be directed by the Council in consultation with NE.

185. The evidence used in the formulation of the TBD which has reference to relevant research, in turn provides the background for CS14. As such, I consider this provides a robust and credible basis for the policy, which is the most appropriate in the circumstances (**Test 7**).

#### **Circular 06/2005**

186. Paragraph 144 of CS is consistent with the flowchart in Figure 1 of Circular 06/2005 *Biodiversity and Geological Conservation*. However, it does not go as far as to consider the further exception tests of alternatives and over-riding public interest, which are the final stages of the flow chart and relate to Regulation 49 of the Habitats Regulations. To make the plan sound, paragraph 144 should be amended as set out in **Changes 34 & E11**. (**Test 4B and 6**).

#### **Proposals within 400m of SPA**

187. Both the SPA TBD and CS14 make reference to a 400m zone within which there is a presumption against new residential development. The text within section 23.2 of the TBD directly references text within CS paragraph 148. But, there is currently the potential for confusion regarding development within 400m, both in the policy and the supporting text. NE does not accept that development within 400m can be avoided or mitigated for. This is because residents are unlikely to be persuaded by an alternative greenspace when SPA is close to their home and can be accessed on foot. Furthermore, at such close proximity the disturbance and predation effect from domestic cats would also contribute to an adverse effect on SPA because 400m represents the average roaming range of domestic cats. However, to completely exclude any residential development within 400m would be contrary to the tests set out within the Habitats Regulations. To make the plan clear, paragraph 148 should be amended in accordance with **change 35** (**Test 4B**).

#### **Mechanisms for implementation and monitoring**

188. CS14 makes reference to contributions towards avoidance and mitigation measures *‘in line with SPA TBD’*; Section 29 of TBD sets out the monitoring and review

requirements. A set of indicators is specified for inclusion within the Annual Monitoring Report and there is a requirement to review the SPA TBD every 5 years to ensure the measures are effective and supported by the most up-to-date evidence base. In addition, the **SPA implementation strategy** (which will be part of **Limiting the Impact of Development SPD**) and associated open space management plans, will be reviewed every 3 years, or sooner if evidence emerges or monitoring results indicate that a more urgent review is required.

189. This requirement for regular review allows for flexibility in the implementation of the policy to take on board emerging evidence and changing circumstances in the light of monitoring information collected. In addition, NE will be monitoring the implementation of all open space works and capacity in relation to new development.

190. Deliverability of housing provision detailed in CS15 is demonstrated through the Avoidance and Mitigation Strategy within TBD. The implementation of these avoidance and mitigation measures will be through Section 106 contributions and obligations as set out in considerable detail within the **SPA Implementation Strategy**. This stand-alone strategy will become a chapter of the LID SPD.

191. Monitoring of CS14, the TBD, and the *SPA Implementation Strategy* is essential to identify when a review is necessary. Section 29 of the TBD sets out its own monitoring and review requirements, including appropriate indicators. This is linked to Section 8.11 within the *SPA Implementation Strategy*, which proposes monitoring to ensure sufficient funds are available to avoid or mitigate the predicted level of impact on the SPA. To make clear that CS14 will be implemented through further documents, paragraph 155 needs to be amended in accordance with **change E12**.

192. In my conclusion, subject to the change I recommend, there are clear mechanisms for implementation and monitoring which are set out in the TBD and the SPA Implementation Strategy (**Test 8**).

### **Flexibility**

193. The implementation of CS14 is based upon and detailed within TBD which includes a requirement for regular review to provide for flexibility in the implementation of the Policy. As the TBD states, the intention is to carry out a full review of the Avoidance and Mitigation Strategy after 3 years, or sooner if evidence emerges or monitoring results indicate a more urgent review is required. Additionally, the Council will monitor and regularly review the funds available for, and the Council’s spending on, such SPA avoidance and mitigation measures. This will enable a change in circumstances either arising from changes to RSS policy framework or emerging evidence to be taken on board. As stated elsewhere in this report, **change 13** would trigger a review of the CS by a range of factors including significant changes to regional planning policy (SEP). In my conclusion, CS14 is sufficiently flexible to deal with changing circumstances through regular review of the Technical Background Document and the SPA Implementation Strategy (**Tests 4C and 7 and 9**).

194. My conclusion is that, subject to the changes I specify, Policy CS14 provides the most appropriate strategic framework for avoidance and mitigation measures to provide protection for the SPA whilst meeting the sustainable development needs of the Borough.

### **Overall Conclusion**

195. Subject to the changes I recommend, my overall conclusion is that the policies in the Environment theme will protect and enhance the environment.

## Somewhere to Live Theme

**Policy CS15: Overall Housing Provision**

**Policy CS16: Housing Needs of the Community**

**Policy CS17: Affordable Housing**

**Policy CS18: Gypsies and Travellers**

196. The CS housing policies in the **Somewhere to Live Theme** flow from the **Bracknell Forest Sustainable Community Plan** (OD012) in particular Priority 4 – Providing Decent and Affordable Housing; and the **CS Vision** and Spatial Objectives (in particular **Spatial Objective B** – *to aid the delivery of housing in the Borough, which meets the needs of all sectors of the community, including the provision of affordable housing*). New housing development (CS15) will be targeted to meet the needs of local people and will include a mix of tenures, size and types of unit (CS16, CS17, CS18). **(Test 5)**

### ***Issue 6.1 – Whether the strategies and policies in the Somewhere to Live Theme meet the housing requirements of the RSS.***

197. Both the Berkshire Structure Plan 2001-2016 and the Regional Planning Guidance for the South East (RPG9) are to be replaced by the emerging Regional Spatial Strategy (RSS) known as the South East Plan (SEP). The Submission South East Plan (March 2006) was subject to a Public Examination at the time of the Hearings sessions and the panel report was subsequently submitted to SoS on 6 August 2007. The emerging RSS will provide guidance to 2026, the end date of this Core Strategy. Therefore the policies in the Submission South East Plan are a material consideration to my report. In particular, the Submission South East Plan contains the Borough’s housing allocation for the period 2006-2026.

198. The South East England Regional Assembly (SEERA) has confirmed that the Core Strategy is in general conformity with the adopted RPG and emerging RSS. The approach taken by the Council and encouraged by the Regional Government Office is to progress, based on the most up to date guidance available, but to build in flexibility as supported by PPS12 and PPS3 **(Test 4C)**.

199. In my view, the Core Strategy steers a successful course through the strategic, regional and national guidance and meets soundness **Test 4**.

200. CS15 identifies the level of housing that the Council will plan for through to 2026. For the period to 2017 (ten years from the adoption of the Core Strategy) the Core Strategy largely follows the housing allocation identified in the emerging SEP whilst bringing forward the shortfall from the previous Structure Plan requirement, as at 31 March 2006. Then for the period 2017-2026, it follows the emerging SEP.

201. The previous Berkshire Structure Plan required 7,500 dwellings to be provided in the Borough between 1991-2006 with a requirement of 1350 dwellings between April 2001 and March 2006. A deficit of 609 dwellings occurred between 1996-2001.

202. The adopted Bracknell Forest Borough Local Plan ran to March 2006 in terms of the housing policies. To meet the SP allocation, 1959 dwellings were required between April 2001 and March 2006 (1350+609). This figure rounded down to 1950 has been included in the adopted Berkshire Structure Plan 2001-2016 which requires 7270 dwellings to be provided in the Borough between 2001-2016 with 1950 between 2001-2006. As at 31 March 2006, a total of 1591 completions had taken place resulting in an overall shortfall of 359 dwellings against the requirement up to 2006.

203. The Borough’s housing allocation is subject to review through the review of RPG 9 (i.e. the South East Plan). The submission SEP requires a provision of an annual

average of 539 dwellings per annum over the period 2006-2026. In addition, the Council has carried forward the shortfall of 359 to be met over the period 2006-2017.

204. Whilst the emerging SEP does not break down the Borough’s requirements into specific time bands, national guidance (in PPS3) makes reference to the need to identify sufficient specific deliverable sites in the first 5 years and then identify a further supply for years 6-10 and, where possible, for years 11-15. Where it is not possible to identify specific sites for years 11-15, broad locations of further growth should be indicated. In order to set out a framework for further Development Plan Documents (DPDs), (in particular, **Development Management: Housing and Commercial Policies and Sites DPD** which commenced in May 2007) and for ease of monitoring, Policy CS15 identifies delivery in 5 year phases. These have been calculated as follows:

**2006-2017**

Shortfall to 2006 = 359

2006-2011 SEP allocation = 539 x 5 = 2695

2011-2016 SEP allocation = 539 x 5 = 2695

2016-2017 SEP allocation = 539

**Total for 2006-2017 = 6288 or 572 dpa**

**2017-2026**

2017-2022 SEP allocation = 539 x 5 = 2695

2022-2026 SEP allocation = 539 x 4 = 2156

**Total for 2017-2026 = 4851**

205. As such, I consider that CS15 meets the requirements of both existing and emerging RSS (**Test 4C**).

***Issue 6.2 - Whether the strategies and policies in the Somewhere to Live Theme are sufficiently flexible to deal with changing circumstances, in particular if housing numbers increase through SEP.***

206. The current allocation has been: the subject of consultation; tested through SA incorporating Strategic Environmental Assessment, and subject to an Appropriate Assessment under the Habitat Regulations 1994; and the basis of the preparation of a bespoke **TBH SPA Avoidance and Mitigation Strategy** (ITS002). The Council is therefore concerned about the threat of higher housing numbers which have not been appropriately tested. Nevertheless, it recognises the need for some flexibility.

207. I note first, that if the RSS is finally adopted with different housing figures for the Borough, then it is likely that the Core Strategy will need to be reviewed to ensure conformity with the RSS. The issues surrounding any future changes to housing allocation are set out clearly in paragraph 166 on p29. Furthermore, as stated elsewhere in this Report I recommend the inclusion of a reference to the other factors which may trigger a review of the Core Strategy (**change 13**).

208. Secondly, the Council has sought to provide the ability to deliver a higher number of dwellings earlier through the timing and implementation of the Amen Corner Urban Extension (CS4). Work commenced on the **Amen Corner Area Action Plan** in March 2007. Furthermore, the **Development Management: Housing and Commercial Policies and Sites DPD** which commenced in May 2007 will identify specific sites to deliver the housing allocation; and CS2 (4) will identify land for development in extensions to defined settlements with good public transport links to the rest of the urban area or with firm proposals to provide such links. As such, there is some flexibility in the early part of the plan period to allow for an increase in provision while any review to accommodate a higher allocation in the longer term takes place.

209. Thirdly, whilst CS5 identifies that the land north of Bracknell will be delivered between 2016-2026, it indicates that the delivery period may change should monitoring

indicate that this is necessary (change 13). These factors allow the plan to meet soundness **Test 9**.

210. To ensure consistency between paragraph 164 and Policy CS5, the time periods for delivery of land North of Whitegrove and Quelm Park should be clarified in the last part of CS5 to make the plan sound in accordance with **Test 6** (change 26).

***Issue 6.3 - Whether CS15 is consistent with national planning policy.***

211. Policies in the CS are consistent with the key messages in PPS3, even though this was not published until the CS had been submitted. The CS was prepared under the framework of PPG3, and in order to provide support to the overall housing allocation, paragraphs 158-161 set the context to the allocation and broadly identify the anticipated sources of supply. These figures are supported by the Housing Supply Background Paper (BP005) published at Submission.

212. Reference is made in both the supporting text to CS15 and in the Housing Supply Background Paper to windfalls as a source of supply. Having regard to PPS3, the Council now considers that this element of the supply will comprise sites to be specifically identified through the preparation of the **Development Management: Housing and Commercial Policies and Sites DPD**. This will be informed by robust evidence, including for example a **Housing Land Availability Assessment** which will be carried out later in 2007 to feed into the early stages of the preparation of this document.

213. In accordance with PPS12, this CS indicates only the broad locations for growth. The long term strategy has identified that not all of the future growth requirements can be met within the existing settlement boundaries and so it has identified 2 strategic locations for growth (Policies CS4 and CS5). Nevertheless, the CS is not a site allocations DPD. The identification of all other sites to meet the borough’s development needs will take place through the preparation of the **Development Management: Housing and Commercial Policies and Sites DPD**. But, these sites will be identified in accordance with the principles established in the CS to ensure that the most sustainable sites are delivered and following consultation and testing through the SA process (**Test 4B**).

214. Although it would not be appropriate to try to retro-fit PPS3, I see no reason why paragraph 168 should not be amended to fully recognise the wording in PPS3. In addition, both the policy and paragraph 165 should be updated in respect of the relevant DPD. I therefore support changes 36, E13, and 37 to update the document.

***Issue 6.4 - Whether the strategies/policies/allocations for housing represent the most appropriate in all the circumstances, and whether they are founded on a robust and credible evidence base.***

215. The approach to the delivery of housing in the CS has had full and proper regard to national and regional guidance and to locally prepared evidence. It has been subject to consultation and has been informed and tested through the Sustainability Appraisal process, and through the preparation of relevant evidence.

216. The **Development Management: Housing and Commercial Policies and Sites DPD** will identify sites to meet the Borough’s housing allocation and in addition policies regarding the delivery of new housing e.g. policies setting out the specific requirements to meet and plan for the provision of affordable housing and to ensure that a mix of sizes, types and tenures is delivered to meet the needs of the local community; specific density policies which will seek to deliver efficient use of land whilst respecting the character of the local area having regard to recent guidance in PPS3 (**Test 7**).

**Issue 6.5 – Are there clear mechanisms for CS15 having regard to transport impacts**

217. The approach to monitoring is set out in Appendix 5 of the CS and specific targets and indicators are linked to a number of policies and objectives. At this strategic level, the Council has, whenever possible, used the National core indicators which establish an overall monitoring framework. (**Test 8**).
218. The transport impacts of development will be assessed and monitored through the implementation of Policy CS24: Transport and New Development. In addition, the Council has identified that further transport work will be undertaken in relation to the identification of specific sites to implement CS15 through the preparation of the **DM DPD**. A detailed traffic model to inform the analysis of site specific allocations is being commissioned in 2007.

**Issue 6.6 – Whether the needs of all sectors of the community will be met including the provision of affordable housing.**

219. **Spatial Objective B** seeks to aid the delivery of housing in the Borough, which meets the needs of all sectors of the community, including the provision of affordable housing. It is an important element of the Council's strategy for future development to meet the needs of the current and future populations of the Borough. Policies CS16 and CS17 establish the strategic approach to meeting the future housing needs for all sectors of the community. The detailed approach to, and implementation of, housing mix and tenure, and to affordable housing targets and thresholds will be implemented through the **Development Management: Housing and Commercial Policies and Sites DPD**. The Council is currently working on 2 specific pieces of background evidence that will help to inform this detail and develop future policies: the preparation of a **Housing Market Assessment (HMA)** jointly with the other Berkshire Unitary Authorities; and a **Gypsy and Traveller Accommodation Assessment Study** for the ACTVaR region.
220. In addition to the need to complete evidence to support these policies, the submission CS was prepared in a climate of changing regional and national guidance on housing. Accordingly, I agree with the Council that the more strategic approach taken in the CS is responsive to these changing housing policies, and that it would be more robust and appropriate to provide more detail about the affordable housing requirements, and the future mix of dwelling types and tenure in a more settled policy context in subsequent DPDs. This will allow proper and full consideration of PPS3, the HMA and the SEP, all of which were either not available or incomplete at the time of developing the CS.
221. Furthermore, Circular 05/2005 at paragraph B13 and PPS3 at paragraph 29 make it clear that affordable housing policies should be included in LDDs, but without specifying in which type of document. It is thus for the Council to decide how best to communicate its policies. That said, given the significance of the affordable housing issue locally, an affordable housing policy is necessary as part of the overall strategy towards the provision of future housing in the Borough.
222. Policy **CS16** provides the broad direction in terms of meeting housing needs of the community, including some specifically identified needs groups. It is intended to include the specific needs of older people. The Council is currently in the process of preparing a **Corporate Older Persons Strategy** which will help inform the development of more detailed policies, and it is in the process of adopting a **Health and Well-being Strategy** which contains reference to spatial issues e.g. access to health services.
223. The CS not only needs to be read as a whole, but also as a spatial planning document which will be implemented in partnership with other bodies and in association with their plans and strategies. The level of empty homes in the Borough in both public

and private sectors is low. However, the Council is committed to ensuring that all housing stock is used as efficiently as possible. The Council’s commitment to reducing empty homes will be set out within the Housing Strategy which is currently under review. CS1 (i) and CS16 will be implemented, inter alia, by partnership working with developers, other local authorities, RSLs and the Strategic Housing Partnership. The better use of the housing stock as a principle can be translated from the CS into these other group’s strategies and policies, thereby increasing the amount of housing stock subject to the requirement in SEP Policy H7.

224. Since Park Homes fall outside the definition of affordable housing in PPS3, they are therefore considered to be ‘low cost market homes’. Whilst CS16 does not specifically include Park Homes or low cost market homes, it does not specifically exclude them. To make the plan clear under **Test 4B, 6 and 7**, CS16 should be amended in accordance with **change E14**.

225. **CS17** does not mention thresholds or percentages and to some extent it repeats national policy. However, given the Council’s approach detailed above, I consider that CS17 sets out an appropriate amount of detail at a strategic level to provide an overarching approach to the detailed delivery of affordable housing which will emerge under the LDF.

226. The Council’s existing policy regarding affordable housing is contained within saved Local Plan Policy H8 and in Supplementary Planning Guidance ‘**Affordable Housing from Residential Development**’, September 2003. This will continue to be relevant until replaced by other Development Plan Policies/Documents.

227. Paragraphs 180 and 181 of the CS identify the issues that the Council will take into consideration in reviewing these policies in subsequent LDDs. The detail of the affordable housing requirements will be developed through the preparation of the **Development Management – Housing and Commercial Policies and Sites DPD**, including through the completion of robust evidence, consultation and tested through the Sustainability Appraisal process.

228. To make the plan clear and to update it in the context of PPS3 new terms should be added to Appendix 3 in accordance with **changes E25 and 58** (Test 4B).

***Issue 6.7 – Whether the CS caters for the needs of gypsies, travellers and travelling showpeople.***

229. With regard to Gypsies and Travellers, in accordance with C01/2006, the policy approach of the Regulation 26 stage CS promoted the inclusion of a criteria based policy pending site identification in a site allocations DPD. However, since the submission of the CS, the **Consultation document on the review of C22/1991** (January 2007) has been published.

230. BFBC along with other Authorities in the Thames Valley and Region, has commissioned a Gypsy and Traveller Accommodation Assessment. But since the publication of the Consultation Document on C22/1991 BFBC along with other Berkshire Unitary Authorities have commissioned a Travelling Showpeople’s Accommodation Needs Assessment. This second study should be concluded by August 2007 so that it can be subsumed into the Gypsy and Traveller Accommodation Assessment for submission to SEERA by mid-October. The assessment will inform the partial review of the SEP and will lead to District/Borough level site/pitch number allocations for each Authority which in Bracknell Forest will be fed into the **Development Management – Housing and Commercial Policies and Sites DPD**.

231. At the time the CS was prepared, in the light of the fact there was no significant perceived demand for Showmen’s accommodation in the Borough; the provisions of

C22/91 (Travelling Showpeople); and the discretionary provisions relating to the proposals for sites, BFBC took the view that the needs of Travelling Showpeople could be satisfied under the generic Policy CS16 (Housing Needs of the Community) rather than CS17 (Affordable Housing) or CS18 (Gypsies and Travellers). But, the submission CS makes no specific reference to Travelling Showpeople.

232. However, BFBC has subsequently agreed a Statement of Common Ground with the Showmen’s Guild of Great Britain – London and Home Counties (SCG/0582) indicating that neither would be opposed to Policy CS18 being expanded to include Showpeople. This means that CS18 would immediately comprise the criteria based policy required by paragraph 31 of C 01/2006, and paragraphs 25-27 of the review of C 22/1991, and it would take account of the provisions in Annex C of both Circulars.

233. To update the plan CS18 and its supporting text should be amended in accordance with changes E14, 39, 40, 41, 42, 43, 62. CS18 would accord with up-to-date government guidance to provide direction pending the adoption of SEP and the completion of the necessary assessments of accommodation need; and to provide guidance on the future identification of sites should need be proven. The policy would provide ‘the hook’ for site allocations for Travelling Showpeople in the **Development Management DPD** (as CS18 would presently do for Gypsies and Travellers).

### **Overall Conclusion**

234. My overall conclusion is that, subject to the changes that I set out, the strategies and policies in the Somewhere to Live theme are appropriate to the Borough, soundly based and fully justified and that the policies contain the strategic hooks for the needs of all groups to be fully recognised through the preparation of subsequent LDDs. (Tests 4,5,7,8,9).

## ***Somewhere to Work and Shop theme***

**Policy CS19: Location of Employment Development**

**Policy CS20: New Development in Employment Areas**

**CS21: Retail Development in Town Centres**

**CS22: Out of Town Centre Retail Development**

***Issue 7 - Whether the employment and retail policies are consistent with national and regional policy; if not whether there are soundly based local circumstances to go beyond national policy.***

235. Under this broad issue I shall examine first the Somewhere to Work and Shop Theme in general, and then I shall examine in detail the issues that arise under the policies within it, before arriving at my overall conclusion.

236. The employment and retail policies have been influenced by PPS1, PPG2, PPG4, PPS6, PPS7, RPG9, and SEP. CS19 and CS20 reflect the provisions of BSP Policies DP1, E1, E2, E3, and E4, while CS21 and CS22 reflect the provisions of BSP S1 and S2. Overall the policy is consistent not only with national, but also with regional planning policy, and other plans and strategies, such as the Sustainable Community Strategy – the Bracknell Forest Sustainable Community Plan.

### ***Somewhere to work***

#### **Historical development**

237. Historically, in the Southern part of the Borough, the older settlements of Sandhurst and Crowthorne grew up around, and to service, such significant enclosed establishments as the Sandhurst Military Academy and College, Broadmoor Hospital and Wellington College. Prior to the designation of Bracknell as a New Town, important sites such as the former Transport and Road Research Laboratory (now Crowthorne Business

Estate) and the former ICI agricultural field trials and research centre at Jealotts Hill (now Syngenta) helped to broaden the then employment base.

238. Bracknell was designed as a New Town with the intention that it would result in a self contained and balanced community. It was developed on a “neighbourhood” pattern with some provision for small business units in neighbourhood centres and defined employment areas purposely separated from residential areas. Employment which was originally based on industrial and manufacturing processes now focuses mainly on the office based financial and IT sectors. For the future, the Core Strategy seeks to balance the provision of employment in the Borough with the population resulting from the housing allocation to 2026.

***Issue 7.1 - Whether the employment development policies are appropriate to the Borough, soundly-based and fully justified; in particular, whether there is sufficient information on the quantum of employment land; and whether CS19 is sufficiently flexible in terms of expansion of existing businesses.***

239. Spatial Objective A promotes sustainable development by seeking harmony between a developed economy and the natural environment by planning for a balance of housing and employment growth. However, I am concerned that whilst the Somewhere to Work and Shop Theme contains good directional policies, the CS makes no statement about the quantity of employment land that will be needed in the Borough in the period to 2026. In particular, as the CS is supposed to be the place where tough decisions are made. Nevertheless, I acknowledge that the Council has made representations to SEP panel on the basis of the difficulty of reconciling the employment/housing relationship in the absence of an employment allocation alongside a housing allocation. As a consequence of this difficulty, the Council proposes that further consideration be given to this matter during the preparation of the Development Management DPD.

240. The Council has commissioned an Employment Potential Study 2005/2006 by Vail Williams Research (ETS003). Whilst this may be adequate for strategic purposes, it comprises only parts of the first few stages of a 14 stage Employment Land Review and was to be used to inform the Site Allocations DPD (now superseded by DMDPD). The Study indicates that, by the retention and more efficient use of existing employment sites, and a restriction on change to other uses (e.g. housing), if vacant space is returned to the market because companies take other accommodation, there is potentially a 12-16 year supply of office floorspace and potentially a 4-5 year supply for industrial purposes. Although this data somewhat relies on past trends in a rather flat market period, it seems to me that these time periods are sufficient to allow additional work on this issue to inform the preparation to adoption of the Development Management DPD, and to inform specific allocation of sites for employment uses. Furthermore, the 2 urban extensions for mixed use development (CS4 & CS5) could potentially provide the balance of 4-8 years supply of office space to the end of the plan period.

241. In the event that there is an insufficient supply of employment land, this could trigger an early review of the CS (in accordance with **change 13**).

242. The CS seeks to locate major employment development in defined employment areas (CS19) and to direct employment generating development to locations commensurate with the historical development of the Borough. These comprise Bracknell Town Centre (BFBLP Policy E1); the existing employment areas within settlements (BFBLP Policy E2) e.g. the Western, Eastern, and Southern Employment Areas, and Vulcan Way, Sandhurst; the CS Major Locations for Growth (CS4 and CS5) which will continue the mixed use concept of the New Town (the exact amount to be determined through AAP); the identified major employment sites outside of settlements and beyond the Green Belt (BFBLP Policy E12) e.g. Crowthorne Business Estate and

Broadmoor Hospital; and in major developed sites within the Green Belt (BFBLP Policy GB5) e.g. Syngenta. CS19 also seeks to safeguard small businesses – paragraphs 203 and 205.

243. CS19 does not contain a sequence for the allocation of sites for employment generating uses but rather it infers that employment generating development would best be directed to existing employment areas in the first instance. As with the current situation, not all locations are equal in the density and type of development they do, or could, accommodate. These are details more appropriate to DMDPD.

244. As stated in CS paragraph 194, The Employment Potential Study 2005/2006 concluded that defined employment areas provide more opportunity for growth. This is due to a number of factors including: their urban location, the intention not to save BFBLP Policy E2 (wherein there is currently a 60% site plot ratio) and the need under paragraph 192 to take account of the impacts arising from development e.g. impact on rural character and setting.

245. In my conclusion CS19 is a locally distinctive policy, soundly based and fully justified (Tests 4A, 4C, 6, 7 and 9).

***Issue 7.2 -Whether the detail in CS20 is appropriate to a CS.***

246. CS20 contains 4 elements: it defines employment development appropriate to the defined employment areas; it contains provisions for the consideration of non-employment development; it requires mitigation for the impacts of employment development; and it supports appropriate ancillary services in employment areas. Thus, the individual elements either set out the strategic consideration of employment generating proposals (the locational or impact elements) or they inform the flexible application of the policy. Together they provide the “hook” for future policy/site allocation preparation in subsequent LDDs (e.g. the provision of ancillary services within existing or proposed employment areas under an AAP).

247. In order to protect the existing employment areas and to support the potential for future employment growth, the Core Strategy seeks to protect the existing urban and rural identified employment areas from other forms of employment development to these existing relatively accessible locations subject to an assessment of impacts.

248. With regard to paragraph 5 of PPS7, the provisions of CS19 do not preclude the identification of additional major employment sites outside of settlements beyond the Green Belt (equating with Policy E12 of BFBLP), nor of additional major developed sites within the Green Belt (equating with Policy GB5 in BFBLP). However, the identification of such sites should be made in a future DPD (e.g. DMDPD).

249. The Highways Agency is concerned about the level of housing and employment development that will take place in the period to 2026 and the impact that this may have on the Strategic Road Network (SRN). The HA would like to see an assumed level of development tested alongside the already tested housing numbers and the mitigation measures and/or policies for both set out in the CS (Test 7). However, because the Council has not identified a level of employment development that will be implemented in the period to 2026, but rather the approach to be taken to the location of employment generating uses, I do not consider that these assumptions in regard to employment development can be made in any meaningful way at this stage in the LDF process. Instead, these issues should be satisfactorily addressed in the next level of DPDs (DMDPD and AAPs) to ensure that any impacts from specific sites and uses are considered with regard to the impact they may cause on the SRN and the package of measures that will be required to mitigate this impact agreed.

**Issue 7.3 – Whether the employment policies are sufficiently flexible to deal with changing circumstances.**

250. **CS19** deals with the **location** of employment development while **CS20** deals with the expansion of development. Together these policies are sufficiently flexible to allow for the expansion of businesses in appropriate locations. As to flexibility on **Major Developed Sites**, the Council has acknowledged that there is an unintentional perceived restriction on flexibility. To clarify what is intended and make the plan sound in respect of Test 9 paragraph 199 should be amended in accordance with **change 44**.
251. Appropriately located small businesses (less than 500 sqm) will be particularly supported, not only by protection in situ but also by allowing them to be located outside employment areas within existing settlements subject to there being no unacceptable impacts.
252. Other uses in the countryside, such as education and training, health, recreation and utilities which might have secondary employment implications should not be allocated as sites through the CS. The CS sets out the principles underlying what the Council wants to achieve during the period to 2026, the detail will follow in subsequent DPDs. The provisions of Policies CS1 and CS8 allow for the significance of these matters to be considered under the **Development Management – Housing and Commercial Sites and Policies DPD** and for site allocations to be made if found necessary.

**Changes**

253. To provide consistency between text and policy, paragraphs 210, 211 and 213 of CS20 requires amendment (**changes E18, E19 and E20**). Paragraph 212 of CS20 contains a typographical error in that it should refer to an Employment Impact Statement (not Assessment) and should be amended in accordance with **change 48**. To make the plan coherent and consistent between definitions of Major Employment Areas and Major Employment Sites, paragraph 195 should be amended in accordance with **change E15** and a new term should be added to the glossary at appendix 3 **change E26** (Test 6). To make the plan clear and to have consistency between paragraphs 199 and 204 the last half of the last sentence of paragraph 199 should be deleted (**change 44**) (**Tests 6 and 4B**). To provide consistency between text and policy, paragraph 201 should be amended in accordance with **change E16 (Tests 6 and 4B)**. And to provide clarity and consistency between definitions paragraph 204 should be amended in accordance with **change E17**.

**Conclusion**

254. Having had regard to the foregoing and subject to the changes I have specified, in my conclusion, the employment element of the Somewhere to Work and Shop Theme is soundly based and fully justified.

**Somewhere to Shop**

- CS21: Retail Development in Town Centres**  
**CS22: Out of Town Centre Retail Development**

**Issue 7.3 -Whether the retail policies and their supporting text (para 230) properly reflect retail policy in PPS6, or whether there are soundly based local circumstances to go beyond national policy, in particular whether too much protection is offered to individual shop units outside identified centres.**

255. In accordance with PPS6, the focus of the CS retail policies is upon the promotion and enhancement of existing centres, with centres fulfilling different roles depending on their position in a defined retail hierarchy. Emphasis is upon improving accessibility and ensuring that new development is well served by a choice of means of transport. As such, the retail policies reflect national policy in PPS6.

256. PPS6 at paragraph 2.15 indicates that the CS should set out the Spatial Vision, the role different centres have in contributing to the vision and strategy for the network and hierarchy of centres. Table 1 of Annex A to PPS6 details 4 types of centre and their main characteristics: City, Town, District and Local.
257. The CS sets out the Vision to 2026 on page 8. The retail policies should be read in conjunction with CS2 and CS3. The Vision and function of Bracknell Town Centre are set out in CS paragraphs 62-66. CS paragraph 215 sets out the locally distinctive context of the retail development in the Borough while paragraphs 216-219 set out the network of identified retail centres which are shown on the submission Proposals Map. Bracknell Town Centre (paragraph 216) is identified as the major centre of the Borough, with the various Larger Centres at paragraph 218 and the various Smaller Centres at paragraph 219.
258. CS21 at paragraph 226 seeks to protect the individual shop within a built up area which performs an important community role (consistent with existing BFBLP Policy E8). In my view, this is not inconsistent with paragraph 2.58 of PPS6 which seeks to protect existing facilities which provide for day-to-day needs and promote social inclusion. Furthermore, PPS6 at paragraph 1.2 (footnote 3) and Annex A (footnote 1) indicate that the provisions of PPS 6 are more relevant to the 4 types of centre in Annex A, rather than individual shops. As such, I do not consider that paragraph 226 goes beyond national policy but rather that it is locally distinctive.
259. However, to make the plan clear and transparent, some editorial changes are necessary under Test 6. First, although the role of the centres is identified in paragraphs 216, 218 and 219, a further sentence should be added to paragraph 215 to make clear that the specific allocation of centres in a future DPD will allow further definition of their future role (**change 50**) Test 6. Secondly, paragraph 218 concerning **Larger Centres** should indicate which part of Sandhurst comprises a larger centre i.e. West of Swan Lane (**change 51**). Thirdly, the Smaller Centres are identified but not listed on the submission Proposals Map so they should be specified under paragraph 219 (**change 52**). Since paragraphs 220-222 are not related to the network of retail centres, a new sub-heading is required before paragraph 220 (**change E21**). And, so that the CS will not become outdated as a result of changes to the LDS, paragraph 227 requires some re-wording (**change 54**).

***Issue 7.4 - Whether the retail policies repeat rather than implement national policy; or whether they go beyond national policy.***

260. The Council considers that it is important to the overall spatial strategy to identify the principle of the main land uses including retail in line with PPS6. However, contrary to the intentions of the new planning system (The Companion Guide to PPS12 paragraph 3.4), the Council’s policies repeat large chunks of PPS6. Whilst this does not, by itself, make the plan unsound, it is not necessary to repeat national policy within the CS. This is a matter which the Council should address in future DPD documents including any review of the CS. In this instance, I do not consider that it is symptomatic of a plan that has failed to develop that guidance into a locally distinctive strategy, policies and means of delivery (Test 7). CS21 will provide an important link to more detailed policies to be developed elsewhere (e.g. in the Development Management DPD), CS21 and CS22 will both also be used as mechanisms for the determination of planning applications and appeals. To that extent, these policies aid the implementation of national policy objectives.
261. To make clear, and to meet soundness **Test 6**, the words ‘*whether inside or outside the Borough*’ should be inserted into criterion iii of Policy CS21 so that it refers to ‘any other town centre *whether inside or outside the Borough*’ (**change IR14**).

262. Although, CS21 largely replicates the retail policy tests set out within PPS6, paragraph 233 varies from PPS6. Criterion i refers to ‘*proposed development being justified in the form proposed to meet an identified need*’. I consider the words ‘*in the form proposed*’ to be superfluous and so should be deleted (change IR14).

263. In respect of CS22 criterion iv, ‘*all forms of transport*’ is potentially open to misinterpretation or is unduly onerous. Therefore to make the plan sound in respect of **Test 4B**, the policy should be re-worded to refer to ‘*a choice of means of transport*’. (change IR10).

**Issue 7.5 - Whether there is a proper evidence base on retail need to underpin the LDF.**

264. The CS retail policies were prepared in the light of the development of a comprehensive Masterplan (ITS003) for Bracknell Town Centre and the earlier **Bracknell Town Centre Retail Study Impact Analysis** May 2002 (ITS004) and **Bracknell Town Centre Retail Capacity Study and Appendices** February 2002 (ITS005) examined at Local Inquiry at the behest of the SoS and used to inform the outline planning permission for the redevelopment and regeneration of Bracknell Town Centre in December 2006 (change 21). This £750 million mixed use scheme is central to the Sustainable Development and Locational Principles of the CS (i.e. the Council’s plans for the future growth of the Borough). The results of the retail studies also informed the Berkshire Retail Study on behalf of The Berkshire Authorities’ Joint Strategic Planning Unit, December 2002.

265. Although criticism was made that both of the retail study documents date from 2002, and are therefore not up-to-date, it has to be remembered that the CS process started early in 2004. Furthermore, the Council’s evidence states that “*nothing has occurred locally, since the preparation of the Masterplan (ITS003) and the retail studies (ITS004, ITS005) to impact on the preparation of the CS*”, and this evidence has not been challenged.

266. These studies first, suggest as a guide figure that about 44,700-56,150 sqm gross of new comparison goods floor space in the period 2006-11 could be justified in the Masterplan. Secondly, they assess the retail impact that such a proposal would have on the surrounding competing centres. And, thirdly, they acknowledge that larger schemes might be justified in qualitative terms, if this would result in a development that radically enhanced the attractiveness and appeal of the TC. Finally, the Retail Study (ITS005) concluded that there is scope for 70,250sqm gross (48,200sqm net) by 2016, but that capacity figures should be taken as a guide and the precise details of any proposed development would need to be tested.

267. Whilst these studies may provide an evidence base that is sufficient for strategic purposes through to 2011; and for the Council to be able to move forward with the Town Centre regeneration to 2011; and the allocation of development sites within Bracknell Town Centre to 2011 (or possibly 2016); I am concerned that “a significant part of the CS is to determine the location of future development up to 2026” (revised paragraph 55, change 15). Furthermore, since there is no study covering the period to 2026, or any Borough-wide retail assessment, there is insufficient support for the statement in supporting paragraph 230 which says that *Retail studies indicate that growth in comparison retail expenditure during the plan period can be accommodated within existing centres*. However, the Council has been advised, and taken the view, that retail capacity projections beyond 10 years become very unreliable. Hence, the Council’s commitment to start another study to support the Development Management Housing and Commercial Policies and Sites Development Plan Document (the study has now commenced and will be completed by early 2008). To make the plan sound in respect of **Tests 7 and 9** paragraph 230 should be amended in accordance with change 64.

268. In addition to a further Capacity Study of all the retail centres in the Borough for the DMDPD, the Council also anticipates guidance from SEP on retail distribution. As such, should there be insufficient capacity for growth, and/or a significant difference in the quantum of retail development, this would trigger an early review of the CS (in accordance with **change 13**).

269. The CS approach is to support the regeneration proposals for Bracknell Town Centre, promote retail development in existing centres/parades and support units which perform an important community role. This reflects national policy in PPS6. Therefore, subject to the changes that I recommend, the level of evidence is appropriate for the strategic policies in the CS.

***Issue 7.6 – Whether the retail policies and their supporting text is reasonably flexible to deal with changing circumstances.***

270. CS21 incorporates flexibility as it also considers the alternative situations whereby town centre sites, and then edge-of-town centre sites, are not suitable, viable or available. However, whilst it may well be true that *the Council recognises the important role The Meadows Shopping Centre in Sandhurst plays in providing comparison and convenience shopping to Borough residents, its location means that trips which might otherwise have been made to a healthy local vibrant town centre are being made out of town*, I see no need to mention this in supporting text to CS22 at paragraph 228. Indeed, in so doing it could be seen as a presumption against any proposed development that might emerge over the plan period in respect of The Meadows. Such a presumption would not be consistent with PPS6 or CS22 itself, both of which provide criteria based policy tests for out-of-centre development (**Test 9**). To make the plan sound, the last sentence of paragraph 228 should be deleted (**Change IR11**).

***Issue 7.7 - Whether the intention of protecting the retail offer in smaller centres has been confused with the requirement for an assessment of retail need (which is specifically precluded by para 3.8 of PPS6).***

271. Criterion ii of CS21 (at para 224) was intended to protect the retail offer in smaller centres. However, as worded, it could be read as requiring retail need assessments across the board. As such, it appears to conflict with PPS6 which states that it is not necessary to demonstrate need. For the avoidance of doubt, and to make the plan sound in respect of Test 4B criterion ii should be omitted (**change 62**). The intention to protect the smaller centres from an over-dominant Bracknell Town Centre would still be achieved by CS paragraph 220.

***Issue 7.8 - Whether the retail policies represent the most appropriate in all the circumstances having regard to transport effects.***

272. The sequential approach to the location of retail development in existing identified TCs followed by edge of centre sites is in line with national policy in PPS6. Such an approach will allow for multi-purpose journeys to key centres which are already relatively well served by a choice of means of transport (e.g. walking, cycling, public transport and the car), thus reducing traffic impacts. These policies have been tested through the Sustainability Appraisal. In particular, they meet objective 15 “to improve travel choice and accessibility, reduce the need for travel by car and shorten the length and duration of journeys”. Therefore, I consider them to be the most appropriate in all the circumstances (Test 7).

## **Transport Theme**

### **Policies CS23: Transport and CS24: Transport and New Development**

#### **Issue 8 - Whether CS23 & CS24 represent the most appropriate transport policies in all the circumstances to deliver an effective, efficient and sustainable transport system.**

273. The Transport Theme sets out the strategic approach that the Council will take with regard to creating sustainable development from a transport perspective. CS23 reflects national transport policy and outlines the overall strategic transport aims that underpin the more detailed requirements of Policy CS24.
274. Policy CS23 builds upon the approaches set out in PPG13, the Borough Council's Local Transport Plan (LTP) and its Accessibility Strategy (ETS001). CS23 supports a sustainable approach to transport concentrating on reducing the need to travel and promoting alternatives to the car. In addition, CS23 seeks to maintain and improve the local network so that efficient use of the network is achieved enabling good accessibility to services and connectivity to surrounding transport networks outside the Borough.
275. Rather than simply reiterating the points set out in paragraph 6 of PPG13, the 9 objectives of CS23 respond to the Bracknell Forest context. It is therefore a locally distinctive policy. Each objective covers a separate aspect of transport and together they will be the starting point for the approach that the Borough Council will take with regard to transport in general that will be built upon in subsequent DPDs. CS23 serves as a link between the Local Transport Plan (LTP) and the spatial planning framework. It demonstrates that the objectives of the LTP are being considered and implemented at the strategic level (CS23) and at the more detailed implementation stage (CS24). As such, I consider that it is consistent with the requirements of PPS12 to be clear and concise.
276. CS23 will not by itself achieve a sustainable Public Transport network. However, one of the 9 objectives of CS23 is to *promote alternative modes of travel*. This will act as a hook for further details set out in CS24 and also set out in CS3, CS4, and CS5. When read together, these policies in addition to the development of more DPDs will achieve the objective set out in CS23.
277. CS24 aims to ensure that new development is sustainable with regard to transport. It seeks mitigation from new development towards all forms of transport so that unsustainable impacts are mitigated and it seeks to secure improvements for transport on the whole. It is an holistic policy as it accounts for the cumulative effects that may arise from single developments in combination with others; thus it covers both minor and major development impacts that may arise.
278. CS24 is consistent with the advice/guidance in C05/2005 in that it identifies that transport contributions may be required when impacts from individual development, or developments in combination, may arise. CS24 provides a direct link to the Borough Council's Supplementary Planning Document "Limiting the Impact of Development" approved by the Council in July 2007 and any subsequent updates. The SPD will provide the detail in respect of cumulative impact. For example, the arrangements to be made when 2 developments are closely linked so that the one does not hold up the other.
279. Both the Highways Agency and BFBC agree that there is a need for Travel Plans to be developed for all potential development sites. However, I agree with the Council that the consideration of targets, monitoring, incentives for compliance and a funding stream to maximise their potential for success are matters of detail more appropriate for inclusion within the DMDPD and AAPs as more detailed targets, monitoring and suitable incentives could be identified relevant to the specific development proposal.

Nevertheless, to support the use of travel plans I support **change 57** (Tests 6 and 8). Furthermore, for clarity, I support the proposed change of wording to paragraph 240 (**change 55**).

280. I am satisfied that the implications of the identification of Bracknell as a sub-regional transport hub are already reflected in the text and policies of the Core Strategy and the Borough Council’s Local Transport Plan. Although not specifically referenced, it is contained in part of the Council’s Development Plan i.e. SEP. For further clarity it would be helpful to reference this in paragraph 235 (**change IR12**).

281. In my conclusion, subject to the changes I specify, Policies CS23 & CS24 which comprise the Transport Theme of the CS, respond to the Vision, Spatial Strategy and guidance in the LTP. Furthermore, the policies go to the heart of the issues in Bracknell Forest. As such, they represent the most appropriate transport policies in all the circumstances to deliver an effective, efficient and sustainable transport system.

### **Minor Changes**

282. The Council wishes to make several minor changes to the submitted DPD in order to clarify, correct and update various parts of the text. Although these changes do not address key aspects of soundness, I endorse them on a general basis in the interests of clarity and accuracy. These changes are shown in Annex 2.

### **Overall Conclusions**

283. I conclude that, with the required amendments set out in Annex 2, the Bracknell Forest Borough Core Strategy satisfies the requirements of s20(5) of the 2004 Act and the associated Regulations, is sound in terms of s20(5)(b) of the 2004 Act, and meets the tests of soundness in PPS12.

284. The changes tabulated in Annex 2 distinguish between those required to make the plan sound (final column) and those minor editorial changes put forward by the Council relating to clarity and accuracy (penultimate column).

*Jane V Stiles*

INSPECTOR