

John Slater Planning Ltd

Bracknell Town Neighbourhood Plan 2016- 2036

Submission Version

A Report to Bracknell Forest Council on the Examination of the Bracknell
Town Neighbourhood Plan

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Executive Summary

My examination has concluded that the Bracknell Town Neighbourhood Plan should proceed to referendum, subject to the Plan being amended in line with my recommended modifications, which are required to ensure the plan meets the basic conditions. The more noteworthy include –

- The need to review the whole document, rationalise the supporting text to improve the rationale and justification for the policies and also improve the flow of the text.
- Amalgamate Policies EV1 and EV2 so as to refer only to Open Space of Public Value.
- Adjust the local green space boundaries to remove non-green space areas from Easthampstead Park and South Hill Park.
- Create two new comprehensive policies dealing respectively with tree protection and tree planting.
- Restrict scope of air quality policy to apply to only areas within or adjacent to Air Quality Management Areas.
- Reduce the area covered by the South Hill Art Centre policy to exclude the areas which are covered by the local green space designation
- Clarify that the co-location of the community facilities policy is to allow mixed-use development to support local community facilities.
- Revise the historic parkland policy based on the wording proposed by Historic England.
- Differentiate between a development that causes substantial harm and less than substantial harm to designated heritage assets.
- Remove extensions and outbuildings from the scope of the infill and back land development policy.
- Reduce the number of criteria by which HMO proposals are to be considered.
- Reword the biodiversity wildlife corridor policy to clarify its requirements.
- Delete the tall buildings safety policy.
- Delete requirements to require financial contributions to the provision of cycle racks and bus services.
- Revise the transport assessment policy to bring it in line with national policy.

The referendum area does not need to be extended beyond the plan area.

Introduction

1. Neighbourhood planning is a process, introduced by the Localism Act 2011, which allows local communities to create the policies which will shape the places where they live and work. The Neighbourhood Plan provides the community with the opportunity to allocate land for particular purposes and to prepare the policies which will be used in the determination of planning applications in their area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the saved policies in the Bracknell Forest Borough Local Plan 2002, Bracknell Forest Core Strategy DPD 2008 and the Site Allocation Local Plan 2013. Decision makers are required to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
2. The neighbourhood plan making process has been led by Bracknell Town Council. A Steering Group was appointed to undertake the plan preparation made up of Parish Councillors and residents. Bracknell Town Council is a “qualifying body” under the Neighbourhood Planning legislation.
3. This report is the outcome of my examination of the Submission Version of the Bracknell Town Neighbourhood Plan. My report will make recommendations based on my findings on whether the Plan should go forward to a referendum. If the plan then receives the support of over 50% of those voting at the referendum, the Plan will be “made” by Bracknell Forest Council, the Local Planning Authority for the neighbourhood plan area.

The Examiner’s Role

4. I was formally appointed by Bracknell Forest Council in January 2019, with the agreement of Bracknell Town Council, to conduct this examination. My role is known as an Independent Examiner. My selection has been facilitated by the Neighbourhood Planning Independent Examiner Referral Service which is administered by the Royal Institute of Chartered Surveyors (RICS).
5. In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 41 years’ experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant and director of John Slater Planning Ltd. I am a Chartered Town Planner, a member of the Royal Town Planning Institute. I am independent of both Bracknell Forest Council and Bracknell Town Council and I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.
6. Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:

- That the plan should proceed to referendum on the basis that it meets all the legal requirements.
 - That the plan should proceed to referendum if modified.
 - That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.
7. Furthermore, if I am to conclude that the Plan should proceed to referendum, I need to consider whether the area covered by the referendum should extend beyond the boundaries of the area covered by the Bracknell Town Neighbourhood Plan area.
8. In examining the Plan, the Independent Examiner is expected to address the following questions
- Do the policies relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
 - Does the Neighbourhood Plan meet the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 namely that it specifies the period to which it is to have effect? It must not relate to matters which are referred to as “excluded development” and also that it must not cover more than one Neighbourhood Plan area.
 - Has the Neighbourhood Plan been prepared for an area designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.
9. I am able to confirm that the Plan does relate only to the development and use of land, covering the area initially designated by Bracknell Forest Council, for the Bracknell Town Neighbourhood Plan, on 11th February 2014.
10. I can also confirm that it does specify the period over which the plan has effect namely the period from 2016 to 2036.
11. I can confirm that the plan does not cover any “excluded development”.
12. There are no other neighbourhood plans covering the area covered by the Plan designation.
13. Bracknell Town Council, as a parish council, is a qualifying body under the terms of the legislation.

The Examination Process

14. The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or if a person has a fair chance to put a case.
15. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions.

16. Very early on in the examination, I concluded that I would not be in a position to properly examine the plan, without the need for a hearing.
17. I carried out an unaccompanied 2 day visit to the plan area on 26th and 27th March 2019. I visited each of the neighbourhoods and walked around Bracknell Town Centre and a number of the neighbourhood shopping centres. I visited South Hill Park, Easthampstead Park and Lily Hill Park
18. Following my site visit, I sent a document entitled “Initial Comments of the Independent Examiner” dated 1st April 2019. In that document, I indicated that I would be calling a public hearing, which would cover the various topics set out in that document. I followed that up with a document, “Guidance Notes and Agenda for the Public Hearing” dated 17th April 2019.
19. The one day hearing took place on 14th May 2019 at the Town Council’s offices. Following that hearing, as I promised at the end of the session, I issued a document, “Interim Conclusions”, dated 11th June 2019. That document set out fully my concerns regarding the documentation and in particular the quality of mapping. I will briefly revisit the issues that underpinned my concerns, in a later section of this report, but I essentially offered the Town Council three options as to how the examination could proceed. Option 1 was for the documents to be amended by removing extraneous material to a supporting document and then resubmitting, which would allow the examination to continue, but without changing any of the policies. The second option was that I could recommend that the plan did not proceed to referendum, if the Town Council did not agree to my first suggestion or finally, Option 3 - the Town Council could withdraw the current version of the plan which had been submitted.
20. On 26th June 2019, I was informed by the Head of Planning at Bracknell Forest Council, that the Town Council had resolved to follow Option 1 and would in due course resubmit the documentation, having taken on board the advice of their consultants.
21. The examination was therefore held in abeyance until I received the revised submission, which arrived on 24th October 2019. In view of the fact that some of the Regulation 16 comments had referred to the quality of the documentation, I decided to offer the Regulation 16 parties an opportunity to comment on the new documents. This was set out in a document entitled “Further Comments of the Independent Examiner” dated 1st November 2019. The Council organised a six-week consultation that ran from 18th November 2019 until 16th December 2019 and I was forwarded a small number of responses the day following the closure of the consultation on 17th December 2019. The only substantive response that addressed the issue of the documentation was received from Bracknell Forest Council.
22. I then began the preparation of this report based on the revised document. My emerging recommendations would entail changes to the mapping and I needed to be satisfied that they could be shown in a way that was clear and accurate. I therefore published a document entitled, “Mapping and Document Issues”. dated 3rd February 2020.

23. Immediately prior to the corona shutdown, I was sent, by Councillor Henfrey, a copy of the proposed Policy Overview Mapping, which incorporated the changes that I had requested and also provided me with the reassurance that a plan can be presented at a scale that would deliver the clarity that I would have expected from a development plan document. This was followed up by a set of detailed maps that had been produced on behalf of the Town Council by Bracknell Forest's GIS team. I will refer to these plans as the Revised (plus the Policy number) map in my recommendations e.g. Revised EV3 Map.

The Consultation Process

24. Work started on preparing the neighbourhood plan in 2013, with the Town Council forming a Steering Group initially made up of 7 town councillors and 7 members of the public.
25. The first public engagement took place in 2014, with the distribution of a questionnaire seeking residents' views on a range of issues including services and spaces in the town. This generated 173 responses.
26. 2014 also saw a number of other community engagement events, which used storyboards to generate discussion on various themes. More targeted face-to-face interviews were held with key stakeholders between November 2014 and February 2015.
27. Gaps in the evidence base were filled by targeted consultations, including a rail users survey which was distributed at Bracknell Railway Station in September 2015 and sessions, with students at Ranelagh School and Brackenhale School, were held in November 2015.
28. Draft policy topics were publicised via social media, with campaigns running between August and November 2016, which generated nearly 1000 responses.
29. All this activity culminated in the Regulation 14 Pre-submission consultation which ran from 9th July 2018 to 20th August 2018. This resulted in the submission of 62 comments including detailed comments by Bracknell Forest Council. These were carefully considered by the Town Council and I have seen the responses made to each comment.
30. I am satisfied that the plan making process has been both open and transparent and that the views of the community have been positively sought and have been able to influence the final content of the neighbourhood plan.

Regulation 16 Consultation

31. I have had regard, in carrying out this examination, to all the comments made during the period of final consultation which took place over a 6-week period, between 7th January 2019 and 18th February 2019. This consultation was organised by Bracknell

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Forest Council, prior to the plan being passed to me for its examination. That stage is known as the Regulation 16 consultation.

32. In total, 17 responses were received, from Transport for London, National Grid, Historic England, Environment Agency, Surrey County Council, GlebeWood Residents Association, Easthampstead Park Cemetery and Crematorium, Berkshire Archaeology, Hart District Council, Thames Water, Bracknell Forest Council, Bracknell Forest Council Estates Dept. (a late representation that I was prepared to accept), Boyer Planning on behalf of JPP Land Ltd and Hodge Developments (Beaufort Park) Ltd, Gladman Developments Ltd and from 3 local residents.
33. I have carefully read all the correspondence and had regard to them, where they have been relevant to my considerations and conclusions either in respect of specific policies or the plan as a whole.
34. As started above, I offered the parties that commented at the post submission Regulation 16 stage, an opportunity to consider the revised version of the plan submitted in October 2019. 4 responses were received, from Bracknell Forest Council, Transport for London, National Grid and the Environment Agency.

The Basic Conditions

35. The neighbourhood planning examination process is different to a local plan examination, in that the test is not one of “soundness”. The Neighbourhood Plan is tested against what is known as the Basic Conditions, which are set down in legislation. It will be against these criteria that my examination must focus.
36. The five questions which constitute the basic conditions test, seek to establish: -
 - Has the plan had regard to the national policies and advice contained in the guidance issued by the Secretary of State and is it appropriate to make the Plan?
 - Will the making of the Plan contribute to the achievement of sustainable development?
 - Will the making of the Plan be in general conformity with the strategic policies set out in the Development Plan for the area?
 - Whether the making of the Plan breaches or is otherwise incompatible with EU obligations or human rights legislation?
 - Whether the making of the Plan would breach the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017?
37. As the neighbourhood plan was submitted before 24th January 2019 it was covered by the transitional arrangements set out in the 2019 version of the Framework and

this examination has been based on the 2012 version of the National Planning Policy Framework.

Compliance with the Development Plan

38. To meet the basic conditions test, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the Development Plan, which in this case are the saved policies in the Bracknell Forest Borough Local Plan, adopted in January 2002, the Core Strategy Development Plan Document, adopted in February 2008 and finally the Site Allocation Local Plan which was adopted in July 2013. Also of relevance is the Bracknell Forest Borough Policies Map 2013 and the Replacement Minerals Local Plan and the Waste Local Plan for Berkshire.
39. The Basic Conditions Statement provides a useful cross reference between the proposed neighbourhood plan policies and the specific local plan policies, although some of the quoted policies are not directly relevant; for example, the Local Green Space policy is being justified by the local plan policy dealing with the Development of Land Outside Settlements.
40. I will address issues of conformity where it is relevant in respect of individual policies.
41. I am satisfied overall that the plan as amended will be in general conformity with the strategic policies in the development plan.
42. Work is underway by Bracknell Forest Council on a new local plan. That has been subject to its Regulation 18 consultation but as emerging policy, it is an expression of a direction of travel and is not the document against which general conformity has to be demonstrated.

Compliance with European and Human Rights Legislation

43. In September 2016, Bracknell Forest Council issued an initial screening opinion that the Bracknell Town Neighbourhood Plan would need to be subject to a Strategic Environmental Assessment but a full Habitat Regulation Assessment would not be required. That initial conclusion was primarily based on the comments, raised at that stage by Historic England.
44. On 24th May 2018, a further screening request was submitted by the Town Council. In a report dated July 2018, the Council concluded that the emerging neighbourhood plan “is not likely to have a significant environmental effect and accordingly will not require a strategic environmental assessment”. That conclusion was based on the fact that the plan was not allocating land for development.
45. The Council as the “competent authority”, in its July 2018 screening report, considered whether an Appropriate Assessment would be required. That report maintained its previous conclusion that there were no likely significant effects which would be likely to occur, with regard to the integrity of the two European sites which

fall within the Council's jurisdiction, although are outside the neighbourhood plan area i.e. Windsor Forest and Great Park Special Area of Conservation (SAC) and the Thames Basin Heath Special Protection Area (SPA). Accordingly, it has screened out the need for a full Appropriate Assessment.

46. I am satisfied that the basic conditions regarding compliance with European legislation, including the new basic condition regarding compliance with the Habitat Regulations, are met. I am also content that the plan has no conflict with the Human Rights Act and no representations on that issue have been submitted.

The Neighbourhood Plan: An Overview

47. This has proved to be a most protracted examination, which has taken nearly a year to complete. That is unusual. My examination has effectively fallen into two phases, the period up to the hearing held last May and the publication of my Interim Conclusions issued shortly afterwards. The second phase was the period after Bracknell Town Council had published its Interim Report Version of the plan, with appendices, which sought to address the issues that I had raised.
48. I do not intend to revisit in detail my conclusions in respect of the original neighbourhood plan submission. These are fully set out in detail in my Interim Conclusions document. I am pleased that the Town Council responded so positively to my recommendations. Without the changes, I would have not have been able to recommend that the Bracknell Town Neighbourhood Plan proceed to referendum.
49. Much of the extraneous material which was contained in the original documentation has now been removed and the Interim Report version of the neighbourhood plan is now a more focused planning document. I am now confident that it has the basis of being an important development plan document, which can be used for determining planning applications in Bracknell, subject to it incorporating my proposed modifications to the actual wording of the individual development plan policies. These modifications are necessary to ensure that the plan conforms to the basic conditions.
50. I am content that the Interim Report Version, contained in the two documents, is still recognisable as the neighbourhood plan that was submitted and had been consulted upon. The material that was extracted related to non-development subjects. I am satisfied that I can legitimately work with the revised version of the plan for the purpose of my examination, as it retains all the original planning policies originally submitted at the Regulation 16 stage. I am also pleased that the Regulation 16 consultees were also able to make comments on this latest version of the documents. There has been no challenge to this approach.
51. As I said at the hearing "I am sure that there is a neighbourhood plan in here somewhere". That was a comment made, expressing the frustration of trying to extract from the other material that had been included which was not directly related to planning matters.

52. On the basis of the revised submission, I am satisfied that I have been proved right. The Neighbourhood Plan is now a distinctive Bracknell specific plan which recognises its New Town legacy, reflecting the importance of the woodland setting of much of its residential areas, respecting the distinctive character of individual neighbourhoods. It seeks to protect and enhance the natural and historic environment, its policies support community facilities and it encourages cycling and walking. These are all themes which are also reflected in the National Planning Policy Framework. The plan also supports the important economic role that Bracknell plays in the wider Thames Valley. I am very happy to confirm that I am satisfied that the neighbourhood plan as a whole, meets the basic condition of delivering sustainable development.
53. The neighbourhood plan is not allocating residential sites for development nor establishing levels of housing, retail or employment floorspace. These are strategic matters which are appropriately dealt with at local plan level. Its approach is to establish a range of development management policies which can guide how development takes place in the town. I have had to recommend some proposed modifications to ensure that they are clear and concise and accord with Secretary of State's advice.
54. At the hearing, the Town Council's representatives were anxious to stress that the version of the plan before me, remained a working version of the plan. That was reflected in the lack, for example, of paragraph numbering or page numbering or the quality of mapping. This is unique in my experience as it is the plan that the qualifying body has submitted to the local planning authority, but I am, nevertheless, satisfied that it is a workable document for the purpose of my examination. It is important that the referendum version of the plan upon which all residents will be asked to vote, is a more polished document. I am confident that the Town Council has the capacity to achieve that.
55. However, the impact of removing whole sections of extraneous material, whilst achieving its purpose of now being an entirely focused planning document, has resulted in the resultant document, being somewhat disjointed and it does not read as coherently as it could. This is not necessarily a matter for me to make recommendations on nor is it my role to put forward extensive tracts of supporting text as my role is restricted in terms of meeting the basic conditions and legal requirements.
56. In my opinion, a comprehensive review of the document, particularly the supporting text, will produce a more readable document which can expand upon the thinking, the evidence and the rationale behind the policies. This will then assist the decision maker in fully understanding what the Town Council is seeking to achieve and why.
57. I have also been pleased with the Town Council's response to the mapping issues, which are a vast improvement on the original submission. I am satisfied that they achieve the intention of providing clarity when it comes to identifying which policies apply to specific sites. I have made detailed recommendations in respect of individual policies in the individual policies section of this report.

58. My recommendations will concentrate on the wording of the actual policies against which planning applications will be considered. The other changes and the consequential editing, numbering and textual changes must be agreed between Bracknell Forest Council and the Town Council, so that Bracknell Forest can prepare its Decision Statement and the Referendum Version of the plan can be prepared which will read as a polished, coherent development plan document. That will then be an opportunity to address a number of the other textual issues that have been identified by Bracknell Forest Council in its Regulation 16 comments which do not go to the heart of the basic conditions.

The Neighbourhood Development Plan Policies

Policy ENV1 Community Leisure Provision- Active OSPV (Open Space of Public Value

Policy EV2 Community Leisure provision- Passive OSPV (Open Space of Public Value

59. These policies link to one of the main themes of the neighbourhood plan - the protection of open space, which was clearly a response to residents' comments made during the public consultation. The quantity and quality of the green spaces in Bracknell is one of its defining qualities, and is a fitting legacy of its New Town origins.
60. The two policies, when taken together, differentiate between "*active* open space of public value" which includes parks, play areas and sports pitches and "*passive* open space of public value", which covers natural and semi natural open space, green corridors, country parks and urban woodland.
61. The Core Strategy DPD refers to "open space of public value" (OSPV), which it then subdivides in the supporting text into active OSPV, kick about areas and passive OSPV. Policy R4 of the 2002 Local Plan also refers to open space of public value.
62. In my experience, having separate policies governing active and passive open space is an unusual practice and I am not convinced that it is necessary to differentiate between types of open space use for planning purposes. Many areas of open space will have different characteristics and can be put to different uses, and indeed some may be separately protected, perhaps due to their historical importance, but essentially, they are all green spaces. They also can perform a multiplicity of roles, not just part of the town's green infrastructure, but they have a recreational purpose as well as a visual amenity. The same areas of green space can be used for passive recreation, or more active pursuits.
63. Importantly, planning control does not differentiate between the different types of open space. Planning permission is not required to set out a cricket or football pitch on an area of open space. A trim trail can be laid out through an area of woodland, without it constituting a change of use. To have separate policies for active and passive open spaces raises expectations as to how different areas can be used,

which the neighbourhood plan or indeed the planning system, could not deliver. For example, residents may seek to object to a passive area being used for active recreation due to noise and parking issues. These are really matters of recreation management which, ordinarily, are not subject to planning control.

64. The NPPF refers to *open space*. I propose to reflect the recommendations set out in the document "Play, Open Space and Sports Study for Bracknell Forest (2016 - 2036)" which forms part of the evidence base for the forthcoming local plan. That includes the following definition of "open space of public value", which includes both active and passive green spaces.

"i. Public open space, which is land available for satisfying the recreational needs of the local community, such as pitches, play areas or country parks and is usually maintained by the Borough or Town and Parish Councils; and, ii Private open space, which is land that serves a similar purpose but may have restricted public access, such as golf courses, horse riding centres; or Ministry of Defence land which can include land with no public access. In both cases, its public value is derived from its contribution either to the recreational needs of the community and/or from that which its openness makes to the character and appearance of the locality, and to the quality of life....."

65. I will therefore be recommending replacing Policy EV1 and Policy EV2 with a single policy entitled "Open Space of Public Value". That will simplify the drafting of the policy especially, as the wording of the two policies are almost identical.
66. The map shown on Environment and Community, page 2 of 84, is only helpful in showing the broad location of the open space, but, importantly, its scale makes it difficult to define the extent of each designation. Whilst I have no objections to retaining the A4 map, I have concluded that it needs to be supplemented by larger scale plans that show the boundary of the individual open spaces, in relation to surrounding properties. That is now achieved with the Policy Overview Map.
67. Furthermore, the submission version of the plan also designates land which falls outside the plan area. The neighbourhood plan is legally only able to designate land within the plan area. Again, that has now been resolved.
68. Bracknell Forest planners consider that the policy conflicts with the national policy of making efficient use of land. I do not agree with that assessment. The open spaces in the town are clearly valued by its residents and I do not believe that a policy that retains open space *of public value*, represents an inefficient use of land as opposed to a situation where land does come forward for acceptable forms of development, then it should be used efficiently. The spaciousness of Bracknell is one of the town's defining features.
69. Paragraph 17 of the 2012 NPPF refers to the effective use of land by reusing brownfield sites.

70. I need to address the objection made by Bracknell Forest Council, as owner of the land at Jubilee Garden in the town centre. This site has been identified as being suitable for development in the existing and emerging local plan, and importantly its proposed loss has been already compensated for by the creation of the larger area open space in front of the railway station, known as Station Green.
71. I consider that it would not be in the interest of the delivery of sustainable development, which is one of the basic conditions, for the plan to require the retention of this area of open space. One of the 3 themes of sustainable development, according to paragraph 8a) includes “ensuring that sufficient land of the right types is available in the right places and at the right time to support growth and innovation and improved productivity”.
72. The site is also an allocation site in the Bracknell Forest Borough Local Plan, covered by Proposal PE1ii which identified the site within an area for mixed use development, including a new public transport interchange and public open space, which has now been provided. To maintain the open space designation would not be in general conformity with what is still a strategic policy in the development plan and would therefore not meet that particular basic condition too.
73. I have seen that on the Policy Overview Map that two areas that are shown as Local Green Space, namely Lily Hill Park and South Hill Park are also cross shaded so as to be covered by this policy. As local green space designation confers a higher level of protection there is no benefit in protecting them by both this policy as well as Policy EV3.
74. This policy should be entitled Policy EV1 and all the other EV policy numbers will need to be adjusted.
75. Notwithstanding my comments on this policy in the Mapping and Document Issues paper, that I was minded to recommend a single designation of Open Space of Public Value (OSPV) the Revised Policy EV1/EV2 map continues to differentiate between the two types of open space. I will recommend that all the open spaces be shown as a single designation, OSPV on the final version of this plan. If the Town Council wishes to retain the numbering of each area of open space that is acceptable but not strictly necessary, as the designation on the mapping is sufficient. The issues of the scale of the A4 plan persist but I am satisfied that the larger scale Policy Overview Map shows the boundaries of each site with appropriate clarity.

Recommendations

Retitle Policy EV1 as “Open Space of Public Value”

In the first paragraph delete “Active” and replace the remainder of the paragraph after “provision” with “as shown on the Policy EV1 Open Space of Public Value Map”

In the third paragraph delete “Active”.

Delete the final paragraph of the policy

On revised Policy EV1 map, show all designated sites as OSPV

Amend the Policy Overview Map to reflect designation as OSPV rather than as Community Leisure Provision, and remove that cross hatching from land which is also designated as Local Green Space.

Delete Policy EV2

Policy EV3 – Protection and Maintenance of Local Green Space

76. The plan identifies 11 areas of open space which are proposed to be designated as local green space. I accept that all the sites have been justified as being particularly special to the local community and that their designation will not undermine “the local planning of sustainable development”. Again, the A4 Revised Overview Map is only sufficient to identify the respective locations but in this case the supporting maps in the Revised Maps A-K show the full extent of the LGS designations clearly. I am also satisfied that they are shown with necessary clarity on the Policy Overview Map.
77. I did have some recommendations based on the initial submission, as to the actual extent of the proposed sites in two cases. Local green space designation is by its nature offering protection of “green space” and it is not appropriate to include buildings. A number of the original proposed designations include large buildings, associated structures and car parks. To impose this policy would be ruling out any development on these locations. The particular sites where this is an issue, is Easthampstead Park and also South Hill Park. Interestingly, Lily Hill House has been excluded from the proposed designation.
78. I am satisfied that my recommendations have been accurately reflected in the recently produced Policy Overview Map and on the revised Maps.
79. Bracknell Forest has raised questions as to the wording of the policy in terms of its clarity. I will recommend the form of wording set out in paragraph 76 of the 2012 NPPF which could not be clearer. With those changes, I am satisfied that the policy meets the basic conditions.

Recommendations

On Revised Policy EV3 Overview Map’s key replace “Green Space Justification Areas” with “Local Green Spaces”.

Replace the wording on the last paragraph with “New Development on these Local Green Spaces is ruled out except in very special circumstances”

Policy EV 4–Tree Heritage: Avenue of Trees

80. I consider that there needs to be two elements of this policy, so that it can be used with confidence by decision-makers.
81. Firstly, the policy requires developers to retain and incorporate the existing avenues of trees which are identified on the maps, and which are an important landscape feature around the town, within their landscaping scheme. However, the maps need to be very clear as to which trees are to be protected by this policy. Again, the Bracknell wide plan shows their general location but that is insufficient to identify the

extent of the avenues which are to be protected by the policy. That has been remedied on the Policy Overview Map. The Revised Policy EV4 maps show the avenues clearly defined but unfortunately the aerial images include other trees which are either covered by TPOs or indeed other trees (which is only a snapshot of the current situation). These detract from the clarity of what the policy is seeking to protect, namely the avenues of trees and I will be recommending that the extraneous information be removed and if possible the plans could be images could be shown at a greater scale which focusses in on the avenues.

82. It should be borne in mind that this policy will only “kick in” where the avenues of trees are affected by development that requires planning permission. Clearly the neighbourhood plan can, by their designation, identify them as important landscape features in the town, but the protection offered by the policy will not necessarily come into play, where planning permission is not required.
83. The second element of the policy is one that encourages the planting of avenues of trees as part of new development. Such a requirement is only likely to be an appropriate landscaping solution on larger scale development. I have noted the BFC reservations but as the policy wording refers to “wherever possible” I will also recommend the installation of an additional caveat “and where it is appropriate”.

Recommendations

On the Revised Policy EV4 Maps, remove all trees and TPO trees and only show the avenues of trees to be protected by the policy. If possible show the avenues at a larger scale.

In the policy, replace “policy maps” with “Revised Policy Maps EV4 (or such number as allocated following rationalisation of the policy and plan numbering)”

After “possible” insert “and where it is appropriate”.

Policy EV5- Tree Landscape Character

Policy EV6- Tree Heritage Protection

Policy EV7- Trees as a Visual Amenity

84. These three policies all, in some way, seek to protect trees, but for different reasons:
- those trees that contribute to the treed landscape character and canopy cover
 - ancient trees or trees of good arboricultural and amenity value
 - trees which make a significant contribution to the visual amenity and character of the area.
85. I do not consider that it is helpful to have three different policies covering trees, as it could lead to uncertainty at the development management stage, as to the reasons trees are being retained and protected and therefore what is the most relevant policy. For example, an ancient tree could add to the treed character of an area which in turn contributes to the sylvan character of the area.
86. I will be proposing to split the policy so that one policy deals with the protection to be accorded to existing trees, and a second policy which deals with the issue of tree

planting as part of a development proposal. Such a policy will add a local dimension to existing development plan policy EN1 and 2. It will ensure that policies can be used with confidence.

87. The imposition of a requirement for an applicant to have to submit an arboricultural survey with the application, is not something within the gift of a neighbourhood plan, which is a framework to show how an application is to be determined. The documents required to accompany a planning application are set out, by the local planning authority, in its Local Validation Checklist and apply across the whole district.

Recommendations

Retitle Policy EV5 “Protection of trees”

Replace Policy EV5 with “Development proposals will be expected to retain all trees of in good condition and which possess amenity value, especially ancient trees, which either individually, or collectively, contribute to the sylvan character of the immediate area and the town in general.”

Retitle Policy EV6 New Tree Planting

Replace Policy EV6 with “Wherever possible and where appropriate, all new development, particularly at gateway locations, will be expected to incorporate tree planting within their landscaping proposals, including trees of an appropriate size and species, that can make a significant contribution to enhancing the sylvan character of the town, as well as add to the visual amenity of the immediate area.”

Delete Policy EV7.

Policy EV8 – Allotments

88. The extent of the allotments site is now satisfactorily shown on the Policy Overview Map, with the exception of the South Road allotment site which is not shown as a polygon.
89. I did consider whether the requirement for replacement of any lost allotment space, should be in the vicinity from which it is to be lost, but I am satisfied that is not necessary as in some parts of the town i.e. in the north-west corner there is a concentration of four sites and elsewhere there are no allotments so any replacement could deliver a more equitable distribution across the town.

Recommendation

On the Policy Overview Map show the extent of the South Road allotment site.

Policy EV9 - Cemetery Space

90. I am concerned that specific reference in the policy to the expansion of the Larges Lane Cemetery could be interpreted as a plan allocation, especially when the supporting text refers to “where possible or practicable land should be *allocated* for its expansion”. As the intention of the policy is one offering strong support to any proposal for the creation of new cemetery space, I do not consider that it is desirable

to highlight one particular site, especially as no evidence has been submitted to indicate that this is a viable or practical option.

Recommendation

Delete the second sentence of the policy.

Policy EV 10 - Watercourses and River Corridors

91. This is a locally distinct policy which aspires to improve access to watercourses. My original recommendation was to have been that the route of the water courses, which are identified in this policy, should be shown at a greater scale on a more detailed map. The plan cannot designate areas outside the plan area (as originally shown)
92. These matters have been satisfactorily addressed in the Policy Overview Map and on Revised Map EV10.

Policy EV 11 - Air Quality

93. My concern is that this policy as originally drafted placed onerous requirements on *all* development within Bracknell, whereas I now understand that the intended focus is to address the impact of air quality on development within or adjacent to Air Quality Management Areas (AQMA). This was a topic that was discussed at the hearing and an alternative form of wording was put forward by Bracknell Forest Council.
94. The actual extent of the quality management areas has now been helpfully shown at a greater scale on the Policy Overview Map. This allows individual proposals in the vicinity of the existing AQMA to be identified to ascertain whether specific mitigation measures need to be integrated into the scheme. However, the policy also needs to retain flexibility so as to allow the policy to apply to any future AQMA that are designated in the future. My proposed modifications will achieve this.

Recommendations

Replace the policy with “Development proposals which introduce new sensitive receptors (for example new dwellings) within and adjacent to Air Quality Management Area(s) will be expected to demonstrate that UK legislative limits for human health can be met within the development.”

Policy EV 12 - Art Centre: South Hill Park

95. South Hill Park Arts Centre is an important cultural and recreational asset to the town and it is important that the neighbourhood plan recognises the need for the arts centre to continue to develop and thrive. However, this policy also needs to be consistent with the requirements of Policy EV3 which designates South Hill Park as Local Green Space. The submitted plan showing the extent of Policy EV12, actually marks the extent of the property parcel as registered with the Land Registry, witnessed on the title deed. This was discussed at length at the hearing, but I had to

explain that matters related to the leasehold/freehold demise are essentially irrelevant to the consideration of planning matters.

96. The purpose of a policy is to guide the determination of a planning application. The area coloured green on the submitted plan, includes areas of parkland which the neighbourhood plan is also designating as local green space, the purpose of which, according to Secretary of State policy, is to rule out development except in exceptional circumstances. To have a policy that supports development proposals, albeit for use as an art centre/theatre, on green space with the highest level of protection, is patently contradictory. I would have been recommending that the extent of the policy's coverage be reduced to coincide with the area that I have previously recommended being excluded from the local green space designation. That is reflected now on the Policy Overview Map and is shown cross hatched on Revised Policy EV12 Map.

Recommendations

On Revised Policy EV12 Map remove the extent of the LGS designation and the green shading and the key "Area Covered by Title Deed BK 256982".

Revise the policy after "Park" to insert "as shown on Policy EV12 Map"

Policy EV 13- Co-location of Community Facilities

97. I consider that this is a laudable policy, which is very specific to Bracknell and it encourages future multiple uses of these Use Class D1 centres. The wording of the policy refers to co - locating neighbourhood community facilities. This could be interpreted as, for example allowing joint service delivery from the same building, as currently happens with two police contact points, which are situated within community centres. Or it could have been read as allowing community centres to be amalgamated on one site.
98. However, it appears that the ambition of the policy is to allow community facilities to be located alongside other uses or development which could serve the needs of the local community. I would suggest that such a mixed-use aspiration, can be supported and I recommend amended wording to make that explicit, as the policy, as drafted, is somewhat ambiguous.

Recommendations

Replace the policy with "Development that will allow for the introduction of a mix of complementary uses alongside both present and future neighbourhood community facilities, which maintain and enhance their primary community support function, will be strongly supported"

Policy EV14 - Protection of Community Facilities

99. I have no comments to make on this policy. It meets basic conditions.

Policy HE1- Protection of Parks and of Parkland Features of Historic Parks and Gardens

100. I have no concerns regarding the objective of the policy to protect the parkland features of the town's three historic parks, namely Easthampstead Park, Lily Hill Park and South Hill Park. However, to elevate one of the parks, (Easthampstead Park) could be interpreted as downplaying the significance of the other two parks which are not named, one of which South Hill Park is a Grade 2 Registered Park and Garden. I propose to adopt, but amend the wording proposed by Historic England which sets out with greater clarity the tests that development that affect the parks should meet. I will not differentiate between the status of the three parks and I will not seek to duplicate references in the policy to particular aspects of significance that need to be protected as they are covered by other policies such as the avenue of trees at the approach to Easthampstead Park.

Recommendations

Replace the policy wording with

“Proposals that contribute positively to the conservation and enhancement of Bracknell Town’s historic parks, Lily Hill Park, Easthampstead Park and South Hill Park, as shown on Map HE1 will be supported. Where development proposals will affect the parks or their setting, they will be required to provide analysis of the potential impact of proposals on the significance of these parks as heritage assets, including effects on the value of access by the community. Proposals in these areas will be expected to demonstrate that they have sought to avoid or minimise conflict between the conservation of these heritage assets and any aspect of the proposal. Great weight will be given to the conservation of South Hill Park, Lily Hill Park and Easthampstead Park to be considered alongside other potential benefits of development. Proposals that would harm the significance of any of these heritage assets will only be permitted where it can be robustly justified, on the basis of the need to provide public benefits that outweigh the harm and cannot otherwise be delivered in a less harmful way”

Retitle Policy HE1, HE2 and HE3 Map as “Policy HE1 Protection of Parks and of Parkland Features of Historic Parks and Gardens Map”

Policy HE2 - Protection of Heritage Assets

101. The drafting of this policy is somewhat problematical. The supporting text on Heritage, page 10 of 12, seems to be more closely related to the preceding Policy HE1.
102. The policy is very much focused on the protection of the setting of the heritage assets and I will suggest that the policy be retitled “Protecting the Setting of Heritage Assets.

103. Paragraph 133 of the 2012 NPPF states that “any harm to or loss of the significance of a designated heritage asset (..... from development within its setting) should require clear and convincing justification.” However, it goes on to set the bar to that harm as being “substantial” and I will recommend that be included in my proposed wording. I consider that the thrust of the advice would also have applied to a non-designated heritage assets, At the time of the hearing I had been advised that there are no locally listed buildings in the Bracknell Town area, only listed buildings that are on the Secretary of State’s list of buildings of architectural and historic interest. However, I have since learned that in November 2019, Bracknell Forest Council designated the following buildings within the plan area as locally listed buildings:

- Bullbrook Larges Lane Cemetery, Bracknell
- Downshire Arms, Downshire Way, Bracknell
- Lily Hill House, Lily Hill Road, Bracknell
- Market Inn, Station Road, Bracknell
- Ranelagh School, Ranelagh Drive, Bracknell
- Spring Lanes House, 10 Holly Spring Lane, Bracknell
- The Boot, Park Road, Bracknell
- The Royal Oak, London Road, Bracknell
- The Green Man, Crowthorne Road, Bracknell

104. I am generally content with drafting of the second paragraph, except the reference to the impact of views which impact on the significance of the asset, should more appropriately relate to the impact of the tall buildings which will impact on the *setting* of the asset which is more closely related to the context within which the heritage asset is viewed and is of significance. I will recommend a form of wording that reflects that subtle difference.

105. I am not satisfied that the element of the policy which highlights “incongruous (a description which will depend on a decision maker’s assessment of the proposal) tall buildings in prominent locations, in terms of views that contribute to their significance” is the appropriate test, as such tall buildings may not be affecting the setting of the heritage asset. That is more an expression of the building’s visibility. If the tall buildings are within the setting of a heritage asset, then the policy test will be applicable. I consider the matter is already covered by the reference to the consideration of building heights. I will recommend that that the final element of the policy be removed.

Recommendations

Retitle policy “Protection of the setting of Heritage Assets”

Reword the Policy as follows:

“Development proposals which cause substantial harm to the setting of a designated heritage asset will not be supported unless substantial public benefits outweigh that harm. Where proposals will cause less than substantial

harm, that harm must be weighed against the public benefits arising from the development.

Development affecting the setting of a locally listed building will be assessed having regard to the scale of any harm against the significance of the non-designated heritage asset.

Development proposals which affect the setting of a listed building will be expected to enhance that setting, including that of any historic parks and gardens, through careful consideration of building heights, layout and materials, appropriate use of landscape buffers and the placement of open space”

Policy HE3 - Heritage Assets: Historic Buildings and their Setting

106. Generally, I consider that this policy is consistent with Secretary of State approach with regard to designated heritage assets.
107. The policy does not however align well with the expectations of the Secretary of State in term so the level of protection which should be accorded to locally listed buildings. I will add a paragraph to the policy, which reflects the balance sought by paragraph 197 of the Framework, so that the policy will meet the basic conditions.
108. I will also be recommending the deletion of the second paragraph which requires “Development proposals affecting Easthampstead Park and elsewhere will only be considered subject to the requirements of this policy”. This is factually incorrect as proposals affecting Easthampstead Park will have to have regard to other planning policies including those within this neighbourhood plan. I would propose that this particular paragraph be deleted.

Recommendations

Retitle Policy “Protection of Heritage Assets”

In the first paragraph remove “both” as well as “and non-designated”

Add a new paragraph “Developments affecting non-designated heritage assets will be expected to balance the scale of any loss or harm and the significance of the building.”

Delete the final paragraph of the policy.

Policy H01- Infill and Backland Development

109. The threshold for considering infill, backland development, which it appears is deemed to include extensions and outbuildings and any redevelopment, is set at having to protect the neighbour’s amenity. That is a very high threshold which implies no diminution of amenity and that is an unreasonable expectation within an urban area. It may be that an existing neighbour’s amenity cannot be maintained, but the test should be that their amenity should not be unacceptably adversely affected. The 2012 NPPF states that one of the overarching planning principles is that planning should seek to maintain "a good standard of amenity for all existing and

future occupants of land". I will amend the wording to bring it in line with national guidance. I will also amend the remit of the policy by removing reference to extensions and outbuildings which fall outside the remit of "infill and backland development" as generally recognised.

Recommendation

In the first paragraph, omit "including extensions and outbuildings" and replace "protect" with "not unacceptably adversely impact on"

Policy H02 - Houses in Multiple Occupation

110. It is a requirement of the NPPF that plans should "positively support local development, shaping and directing development in the area". As written the policy is drafted as a negative policy, which states that permission will not be granted unless... I suggest that the objectives of the policy can be achieved by rewording in a positive manner namely that permission will be granted if.... To bring it into line with Secretary of State aspirations.
111. As the policy covers the change of use of an existing property, I do not consider that the particular usage of the property would be capable of harming the appearance of the building, adjacent buildings or local landscape context. I will recommend that the first bullet point be deleted.
112. The third criterion refers to "an appropriate quantity" of external amenity space refuge storage and bicycle parking. I do acknowledge that having adequate facilities including refuge storage and bicycle parking is warranted and this should be provided in a manner that does not harm the visual amenity of the area. I consider that the requirement not to cause unacceptable highway problems would be difficult to predict when compared to the potential occupancy of a C3 residential use, especially where adequate car parking is provided.
113. The final element relates to an over concentration of HMOs in any one area of town. However, the policy does not define what would constitute an "over concentration" and over what area that would be assessed. Many local authorities have policies restricting HMOs, but they tend to set percentage limits and define the area over which the percentage will be assessed. The policy element is too vague and could not be used confidently by a decision maker.
114. This matter is further complicated as some properties can be changed from traditional C3 residential use to smaller HMOs without requiring planning permission, which would then make it difficult for the policy to be operated. I am aware that Bracknell Forest Council has not designated an Article 4 Direction which removes the permitted development rights for the change of use from Use Class C3 to Use Class C4 uses.

Recommendations

In the first paragraph replace "not be permitted unless" with "be supported if"

Delete the first bullet point.

Delete the fourth and fifth bullet point

Policy H03 - Driveways and Hardstanding on Front Gardens

115. This is a locally distinct policy introduced to respond to issues which I witnessed on my visits to the town. However, I suspect that most of the hardstandings and driveways have been put in as permitted development, without the need to apply for planning permission.
116. In terms of criterion D, I do not consider that referring to the spaces being of a size to “comfortably accommodate” the proposed number of vehicles” is necessary as it is essentially too vague.

Recommendation

In D delete “comfortably”

Policy H04 - Managing the Streetscape

117. This policy as written applies to “all new development”. I consider its requirements that relate to external amenity space to be imprecise, especially in terms of what is expected by the term integrated external area. I will recommend that the policy should relate to new *residential* development.

Recommendation

Insert “residential” before “development”

Policy H05 - Private Gardens: Green Space Biodiversity Corridors

118. I applaud the aspirations of this policy but I have to recommend some minor re-drafting so the expectations of the policy are clear.

Recommendation

Reword the policy as follows:

“On all future residential development, including any infill development, the configuration of private gardens, and their means of enclosure, should provide a degree of connectivity to enable wildlife such as hedgehogs, to travel between gardens and onto any adjacent areas of green space”.

Policy H06 - Safety in Design of Tall Buildings

119. Whilst I can appreciate the desire of the Town Council to focus on this topic, particularly in the aftermath of the Grenfell Tower fire, matters regarding fire safety, means of escape and combustibility of materials used on tall buildings are all matters that fall within the Building Regulations’ regime. These are not matters that are dealt with under planning policy and I will recommend that the policy be removed.

Recommendation

That the policy be deleted.

Policy H07 - Buildings: Energy Efficiency and Generation

120. A neighbourhood plan cannot, in accordance with the Secretary of State’s Written Statement to the House of Commons, dated 25th March 2015 set “any additional local requirements relating to the internal layout or performance of new dwellings.” In

the same statement, he addresses the local plan's ability to require energy performance standards that exceed Building Regulations.

121. However, as this policy only offers "encouragement" and "strong support" it does not set any additional requirements, and consequently a planning application could not be refused based on non-compliance with this policy and accordingly I will not be recommending its removal.

Policy H08 - Buildings: Local Character

122. This policy is an appropriate expression of design expectations; however, it is only applicable in terms of development that is taking place within the existing built-up area. Where development is taking place on a greenfield site, for example, in response to a local plan allocation, it would be unnecessary and inappropriate to require the new development to have to have regard to any existing development, as the creation of a new neighbourhood allows the opportunity to establish its own new character. Much of the legacy of the New Town Corporation has been the different architectural styles associated with different phases of Bracknell's development. I was struck by the quality of some of the more recent housing developments that have taken place within Bracknell, which have created their own vernacular and distinctiveness.
123. I will accept the suggestion of Bracknell Forest Council that density is too crude a measurement which could involve slavish adherence to a number of dwellings per hectare, which could put off making best use of sites and I believe that the objective could be achieved by the use of "grain of development".

Recommendations

Replace "density" with "grain of development"

After "proposals" insert "within the Bracknell Town neighbourhoods" and then delete the subsequent "Bracknell Town"

Policy H09 - Buildings: Good Quality Design

124. I am satisfied that this is a well-constructed policy which meets basic conditions.

Policy EC1 - Employment and Enterprise: Small Businesses

125. This policy seeks to encourage facilities which support new businesses becoming established in existing employment areas, including the town centre. I am satisfied that the policy meets basic conditions

Policy EC2 - Micro and Small Businesses

126. My only concern is that the policy seems to imply that all proposals must demonstrate that adequate appropriate parking provision can be made. It may well be that in some locations such as in the town centre or where there are units created

through the change of use of existing buildings that it is sufficient for the applicant to demonstrate that appropriate parking provision is available.

Recommendation

Replace “can be made” with “is available to serve the development”.

Policy EC3 - Neighbourhood Shopping Centres: Day-to-Day Requirements

127. I consider that this policy is locally distinct reflecting the towns legacy as a new town and it meets basic conditions

Policy EC4 - Bracknell and Wokingham College and Bracknell Open Learning Centre

128. I have no comments with regard to this policy, except to propose that the extent of the two sites covered by the policy are shown on the Policy Overview Map.

Recommendation

That the extent of the two sites be shown on the Policy Overview Map.

Policy EC5 - Town Centre Future Development Sites: Mixed Housing and Retail Uses

129. This policy seeks to encourage mixed-use development within the town centre. It quotes, as examples, housing and retail use, but I will expand the general description to include town centre appropriate uses such as leisure and offices. That will ensure that the policy is in line with national policy for town centres. I will remove reference to the “current regeneration” which was more applicable to when the plan was being first drafted.

Recommendations

Delete “not included in the current regeneration” and insert “as shown on Plan Overview Map” and after “housing” insert “leisure, offices”

Policy EC6 - Broadband

130. This policy requires the actual connection to the superfast broadband network. However, that is beyond the remit of most developers and the provision of a service including the necessary wiring is a matter for the telecommunication provider. I consider that it is only reasonable to require the necessary broadband infrastructure to be provided such as ducting so that the property is capable of connection to the network.

Recommendations

In the first sentence after “should be” insert “capable of being”.

Delete the second sentence and “In such circumstances” from the final sentence.

Policy TR1 - Cycleways

131. I have no comments to make on this policy, although it would have been helpful if the specific Bull Lane/ Folders Lane, Sandy Lane and Shepherds Lane were identified. Whilst not a formal recommendation, as it is not a matter that relates to the basic conditions, the Town Council may wish to considering amending the Policy Overview Map or Map TR1 to identify the sections which it wishes to see provided.

Policy TR2 - Cycleways and Footpath's

132. The issue with this policy is that it relates to "development proposals" rather than any specific sites where existing cycleways run through the scheme, which are required to be retained.

Recommendation

Replace "maintain" with "retain"

Policy TR3 - Cycle Racks

133. I have no concerns regarding the support offered to the provision of new cycle racks in the identified locations.
134. My concern relates to the final sentence which states that contributions will be sought towards new provision and improvement of existing facilities. Under the terms of the Community Infrastructure Levy Regulations 2010 (Regulation 122), financial contributions can only be requested where it is required to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development. I have seen no evidence to justify such contributions being required, to make a development acceptable, by the provision of cycle racks and I will recommend that the final sentence be removed.

Recommendation

That the final sentence be deleted.

Policy TR4 - Garage Block Areas: Configuration and Use

135. This is a particularly Bracknell specific policy which addresses concerns that clearly relate to the town. I consider that the policy meets basic conditions.

Policy TR5 - School Drop-off and Pick Up Areas

136. I have no objections to the requirement being imposed on any new educational establishments requiring them to incorporate drop-off and pickup facilities. I do not consider that it is, however a reasonable expectation to *impose* this requirement retrospectively upon existing schools, especially if the proposed development or extension is replacing inadequate accommodation and / or does not significantly affect the size of the school role and hence traffic generation. Such a policy would place unreasonable burdens on educational budgets especially when the need is not justified by additional movements generated by the development. However, as the

policy only *supports* them when they are proposed then I am satisfied that the policy meets basic conditions and the policy can be retained unaltered.

Policy TR6 – Buses

137. I am not satisfied that all town centre development generates the need to have to contribute to the subsidy for the provision of new bus services. There is no evidence submitted as to the need for such a policy and how we would meet the test, set up out in previously mentioned Regulation 122 of the CIL Regulations and in the absence of evidence, I recommend that the policy be deleted as it does not meet the basic conditions.

Recommendations

That the policy be deleted.

Policy TR7 - Public Toilets in Bracknell Town Centre

138. I have no comments to make on this policy.

Policy TR8 - Roads and Transport: Traffic and the Environment

139. I have no fundamental issues with his policy but I feel the wording is somewhat clumsy and needs to have regard to Paragraph 32 of the 2012 NPPF. I will recommend a re-drafting so that its expectations are clear and aligns with national advice.

Recommendation

Reword the policy as follows

“Where a Transport Assessment or Transport Statement identifies that the proposed development will have a severe residual cumulative impact on the highway network, the developer will be expected to carry out or contribute to such highway improvements or such traffic management measures as are necessary to address the extent to which their development will exacerbate any existing issues, including those due to lack of capacity or congestion, in particular on the A322 and A329”

The Referendum Area

140. If I am to recommend that the Plan progresses to its referendum stage, I am required to confirm whether the referendum should cover a larger area than the area covered by the Neighbourhood Plan. In this instance, I can confirm that the area of the Bracknell Town Neighbourhood Plan as designated by Bracknell Forest Council on 11th February 2014 is the appropriate area for the referendum to be held and the area for the referendum does not need to be extended.

Summary

141. I understand that this neighbourhood plan is the largest neighbourhood plan area in terms of population covered so far reaching examination. If not the largest, it will be one of the largest towns to be covered by a neighbourhood plan
142. I must congratulate Bracknell Town Parish Council for finally coming forward with a locally distinct and focussed neighbourhood plan. It will guide how development takes place in the town, sitting alongside the strategic policies in the local plan. I hope that the Town Council will address the issue of the “flow” of the document now that much of the extraneous non-planning related material has been removed. I am sure that officers at Bracknell Forest Council, who are experienced in drafting planning documents or the Town Council’s consultants will be able to assist in producing a more polished final document.
143. To conclude, I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made.
144. **I am therefore delighted to recommend to Bracknell Forest Council that the Bracknell Town Neighbourhood Plan, as modified by my recommendations, should now proceed to referendum.**

JOHN SLATER BA(Hons), DMS, MRTPI
John Slater Planning Ltd
23rd April 2020