

Crowthorne Neighbourhood Development Plan 2018-2036

**A report to Bracknell Forest Council on the
Crowthorne Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by Bracknell Forest Council in November 2019 to carry out the independent examination of the Crowthorne Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood plan area on 5 December 2019.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its attractive character based on a series of policies underpinned by an excellent Design Guide.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Crowthorne Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
24 March 2020

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Crowthorne Neighbourhood Development Plan 2018-2036 (the Plan).
- 1.2 The Plan has been submitted to Bracknell Forest Council (BFC) by Crowthorne Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It seeks to provide a context in which the neighbourhood area can maintain its distinctiveness and identity. It proposes a comprehensive set of policies for the future of the area. It has a strong focus on relating new development to identified character areas.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by BFC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both the BFC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report I am satisfied that all of the points have been met.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan (and its appendices).
- the Basic Conditions Statement.
- the Consultation Statement.
- the Design Guide.
- the SEA/HRA Screening determination.
- the representations made to the Plan.
- the Parish Council's comments on the representations received.
- the Parish Council's responses to my Clarification Note.
- the adopted Bracknell Forest Local Plan (2002);
- the adopted Bracknell Forest Core Strategy (2008).
- the adopted Bracknell Forest Site Allocations Local Plan (2013).
- the emerging Bracknell Forest Local Plan 2036.
- the National Planning Policy Framework (February 2019).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 5 December 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. It is proportionate to the Plan area and its policies. Its strength is the way in which it summarises the key stages of consultation and provides the details in a series of appendices. This contributes significantly to its legibility.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (February to March 2019).
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the various stages of the Plan. It includes details about:
- the early updates to the community through Crowthorne Eye (Winter 2016);
 - the use of Facebook seeking engagement of local residents and stakeholders (October 2017);
 - creation of task groups (March 2018); and
 - the publication of details of the pre-submission Plan via Facebook and Crowthorne Eye (February/Spring 2019);
- 4.5 Appendix A sets out examples of the publicity materials used throughout the plan-making process. The examples demonstrate the professional way in which those responsible for the preparation of the Plan sought to address the expectations of the wider community. Appendix C of the Statement sets out how the submitted Plan took account of consultation feedback at the pre-submission phase. It does so in a proportionate and effective way. This analysis helps to describe how the Plan has progressed to its submission stage.
- 4.6 Consultation on the submitted plan was undertaken by BFC and ended on 4 November 2019. This exercise generated representations from the following persons and organisations:
- Transport for London
 - Sport England
 - Environment Agency
 - Surrey County Council
 - Bracknell Forest Council

- South East Water
- Historic England
- Legal and General
- Wellington College
- CPRE
- National Grid

4.7 I have taken account of all the representations in preparing this report. Where it is appropriate to do so I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is described in Section 2 of the Plan. It is irregularly-shaped and consists of the parish of Crowthorne. It is located approximately five miles from both Bracknell (to the north-east) and Wokingham (to the north-west). Its population in 2011 was approximately 6900 persons living in 2628 dwellings. It was designated as a neighbourhood area on 15 June 2016.
- 5.2 The neighbourhood area is one of great contrasts. The built development is heavily concentrated in Crowthorne itself which is located in the western part of the neighbourhood area. Its historic core based on Church Street is a designated conservation area. Its retail and commercial core is based on High Street. Wellington College is located to the west of the village centre in its extensive grounds. The railway station is located to the west of the College. The neighbourhood area also includes two nationally-known facilities – Broadmoor Hospital and the Transport Research Laboratory. In their different ways they are affected by development proposals in the adopted development plan.
- 5.3 The character of the neighbourhood area is influenced by its wildlife and countryside setting and context. It was historically part of Windsor Forest and remains surrounded by extensive forest land to the east of the village. This forest land occupies a significant part of the neighbourhood area and provides a significant range of recreational opportunities for local residents. It forms part of the Thames Basin Heaths Special Protection Area.

Development Plan Context

- 5.4 The development plan context for the neighbourhood area is both comprehensive and evolving. The development plan consists of the following elements:
- Core Strategy (adopted February 2008) – this Plan captures the Council's long-term aspirations for the Borough, and policies to guide and manage development in Bracknell Forest until 2026.
 - Site Allocations Local Plan (adopted July 2013) – this Plan has been designed to complement the adopted Core Strategy. It identifies sites for future housing development, ensures that appropriate infrastructure is identified and delivered alongside new development and also revises some designations on the Policies Map.
 - Bracknell Forest Borough Local Plan (adopted January 2002) – this Plan is a residual document. Several policies were 'saved' by the Secretary of State beyond 27 September 2007 and remain in effect.
 - Bracknell Forest Borough Policies Map (adopted July 2013) – the policies map shows designations relating to 'saved' policies in the Bracknell Forest Borough Local Plan, Core Strategy designations, and sites proposed for development in the Site Allocations Local Plan.

It is this development plan context against which I am required to examine the submitted Neighbourhood Plan. BFC has helpfully identified the strategic policies in the development plan. They consist of elements from each of the three component parts of the development plan.

5.5 The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.

5.6 As the Basic Conditions Statement helpfully comments the Core Strategy directs new development to existing settlements. In this context Crowthorne is identified as one of a range of existing settlements in Policy CS2. The Site Allocations Local Plan allocates two mixed use developments in the neighbourhood area. They are set out below. The corresponding policy in the submitted plan is shown in brackets. In both cases the neighbourhood plan policies are intended to supplement the relevant Site Allocations Local Plan policy

Policy SA4 Land at Broadmoor (CR7)

Policy SA5 Land at the Transport Research Laboratory (CR8)

5.7 BFC is preparing a new Local Plan. It will cover the period up to 2036 and will incorporate a review of the adopted development plan. The current programme for the emerging Plan anticipates submission and examination later this year and adoption in 2021. The emerging neighbourhood plan has sought to take account of the emerging Local Plan. This reflects government advice on this matter.

5.8 The submitted neighbourhood plan has been prepared within its wider development plan context in general terms and in relation to Crowthorne's role in the settlement hierarchy in particular. In doing so it has relied on up-to-date information and research that has underpinned existing and emerging planning policy documents in the Borough. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Visit to the neighbourhood area

5.9 I carried out an unaccompanied visit to the neighbourhood area on 5 December 2019. I drove into the neighbourhood area along Peacock Lane and Old Wokingham Road. This helped me to understand the neighbourhood area in its wider context. It also highlighted its strong connection with the strategic highway network.

5.10 I looked initially at the area around the TRL laboratory in the northern part of the neighbourhood area. I saw the ongoing construction of new houses. This part of the visit helped me to understand Policy CR8 of the Plan.

5.11 I then drove to the Wellington College part of the neighbourhood area. Given the pleasantness of the day and the compact nature of the village I carried out the majority

of the visit on foot. I walked through the College grounds along Byron Drive. I saw the sense of grandeur of the main College building and its range of impressive outbuildings. I saw that the sports fields were being well-used in the Winter sunshine. I then looked at Edgbarrow School and the Sports Centre.

- 5.12 I then walked into the village centre and saw its range of retail and commercial facilities. I saw the healthy mix of national and local shops.
- 5.13 I then continued up the hill to Broadmoor Hospital. The openness and distinctiveness of this part of the neighbourhood area were self-evident. I saw the new houses located around Arlott Green.
- 5.14 I walked back into the village centre and looked at the conservation area around Church Street and St John's Street. I saw the church itself and several very good Victorian and Edwardian houses.
- 5.15 I then walked to Station Parade in Duke's Ride. I saw that in general terms the shops were more specialist than those in the village centre. I looked at the railway station. I saw that it was well-used and had historic associations with the College itself.
- 5.16 I drove out of the neighbourhood area to Finchampstead. This helped me to understand its relationship to the more rural landscape to the west.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in 2019.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Crowthorne Neighbourhood Development Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Core Strategy (2008) and the Site Allocations Local Plan (2013);
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.

- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that address a range of village centre, design and environmental matters. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes a policy on employment development (CR11). In the social role, it includes policies on the village centre and the Station Parade areas (CR9/CR10). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (CR1-8) and biodiversity (CR13). This assessment overlaps with the Town Council's comments on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the wider Bracknell Forest area in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy and the Allocations Plan. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Local Plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required. In order to comply with this requirement, BFC undertook a screening exercise in January 2019 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process BFC concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. It reaches this conclusion for the following reasons:
- the Plan does not allocate land for development;
 - the policies in the Plan are of an influencing nature;
 - the Plan is in general accordance with the development plan which has already been assessed for its likely impact on the environment; and
 - the Plan provides greater support for identified assets.
- 6.14 The screening report includes the responses from the three consultation bodies. This is best practice.
- 6.15 BFC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It concludes that the submitted Plan is unlikely to have significant effects on a European site. The report is very thorough and comprehensive. In particular the assessment took account of two European sites - Windsor Forest and Great Park Special Area of Conservation and the Thames Basin Heaths Special Protection Area. It concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.16 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.17 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the

Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.18 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report. Section 7 assesses each policy against the basic conditions. Where necessary it recommends modifications on a policy-by-policy basis.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Sections 1-5)

- 7.8 The Plan as a whole is very well-organised and includes effective maps. It makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies.
- 7.9 The Introduction comments about the background to neighbourhood planning. It comments about how the Plan has been prepared and the need for it to comply with the basic conditions. It defines the Plan period and includes a map of the designated neighbourhood area.
- 7.10 Section 2 describes the neighbourhood area. It does so in a very effective fashion. It is comprehensive in its coverage and includes information on:
- its history;
 - an overview of the modern village; and
 - its natural environment and biodiversity.

- 7.11 Section 3 comments about the way in which the Plan has sought to address key issues arising from the planning policy context within which it has been prepared. It makes detailed references both to the Core Strategy and to the Site Allocations Local Plan.
- 7.12 Section 4 comments about the community's views on planning matters. They are listed in paragraph 4.2 and include matters such as wildlife corridors, maintaining strategic gaps, car parking and the need for better public transport.
- 7.13 Section 5 sets out a comprehensive vision and related objectives for the Plan. In all cases they are distinctive to the neighbourhood area. It is clear that the policies flow from the evidence base and the supporting text. In addition, the wider Plan has a clear focus on a comprehensive range of key development issues in the area. Paragraph 5.3 is clear that the policies 'focus on specific planning matters that are of greatest interest to the local community'. On this basis it deliberately avoids repeating national or local policies.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy CR1 High Quality Design

- 7.15 This policy has an overarching effect in the neighbourhood area. It requires that new developments should demonstrate high quality design that responds to and integrate with their local surroundings, their wider landscape character and the existing built environment. It comments that proposals should have regard to a series of fourteen design attributes.
- 7.16 The policy has a secondary part which addresses mature trees and hedgerows.
- 7.17 In the round I am satisfied that the policy responds to the character and appearance of the neighbourhood area. It is underpinned by the production of the Crowthorne Design Guide 2018 which was commissioned by the Parish Council to inform the production of the submitted Plan itself. The Guide builds on the Village Design Guide (2002) and the Conservation Area Appraisal (2009). This approach is both evidence-based and distinctive.
- 7.18 BFC expresses a degree of concern about the format of the policy and its expectation that developments have regard to the specific design attributes listed in the policy. I have considered this matter carefully. Within the context of my recommended modifications I am satisfied that the policy meets the basic conditions and can be applied in a proportionate fashion throughout the Plan period. In coming to this judgement, I have taken account of two related matters. The first is that the policy format is similar to several neighbourhood plans which are now 'made'. The second is that the policy format is non prescriptive and recognises that the decision-maker (here BFC) will need to balance a series of policy considerations and other material considerations. This is acknowledged in paragraph 5.9 of the submitted Plan. These matters apply equally to Policies CR 2-8.
- 7.19 I recommend two modifications to ensure that the policy has the clarity and the precision required by the NPPF. The first is on its application. As submitted, it seeks to

apply its design attributes to all new developments irrespective of their scale, nature and location. Plainly most of the design attributes will be relevant to any larger-scale developments which may come forward in the Plan period. However, the majority of developments will be modest in their nature. As such only a handful of the design attributes will have any relevance either to the proposals concerned or to their determination. Whilst this matter is loosely addressed in paragraph 5.9 of the Plan, in my judgement it should also feature in the policy itself.

7.20 The second relates to criterion iv. (the height of buildings). Its commentary correctly identifies that the buildings in the neighbourhood area are usually two storeys or less in height. However, I recommend that the policy takes on a more general format. In addition, I recommend that the supporting text comments about the traditional heights of buildings and the potential for buildings of a greater height to come forward in some locations.

7.21 I also recommend other detailed modifications to the wording used in the policy.

Replace ‘All new.... must’ with ‘Development proposals in the neighbourhood area should’

Replace ‘Proposals will be expected.... regard’ with ‘As appropriate to their scale, nature and location development proposals should have regard’

In criterion iv. Replace ‘Buildings.... domestic scale’ with ‘The characteristic domestic scale of the buildings’

At the end of the fourth sentence of paragraph 5.9 add a new sentence to read: ‘Buildings in the neighbourhood area are characteristically one or two storeys in height. Criterion iv. anticipates that any new development will respect the scale and massing of the existing buildings. Nevertheless, there may be opportunities for higher buildings to be incorporated successfully into the local built environment in certain locations. Plainly the Borough Council will take a decision on a case-by-case basis taking into account the site concerned, the nature of the proposed development and the way in which its design responds to the local circumstances’

Policy CR2 Promoting Good Design at Edgcumbe Park

7.22 This policy comments specifically about the Edgcumbe Park residential area. Its approach is very similar to that of Policy CR1. Edgcumbe Park is a leafy suburban neighbourhood of spacious developments set within a densely wooded landscape. There is continuity and repetition in the built form, landscape and boundary treatments which provides cohesion across the area. The consistent design extends over both sides of the border between Bracknell Forest and Wokingham.

7.23 I recommend a modification which takes a similar approach to that for the first of the two modifications in respect of policy CR1. Otherwise it meets the basic conditions.

At the beginning of the policy insert: ‘As appropriate to their scale, nature and location’

Policy CR3 Promoting Good Design at West Crowthorne

- 7.24 This policy comments specifically about the West Crowthorne character area. Its approach is very similar to that of Policy CR1. The character area accommodates some of the oldest townscape in Crowthorne, set within a grid pattern of long straight streets. Street scenes vary due to boundary treatments and the variety and density of properties. Its eastern area consists of late Victorian built-form with mock-Tudor additions which does not have a distinctive character. As such the Plan considers that it is vulnerable to inappropriate design.
- 7.25 I recommend a modification which takes a similar approach to that for the first of the two modifications in respect of policy CR1. Otherwise it meets the basic conditions

At the beginning of the policy insert: ‘As appropriate to their scale, nature and location’

Policy CR4 Promoting Good Design at Crowthorne Centre

- 7.25 This policy comments specifically about the Crowthorne Centre character area. Its approach is very similar to that of Policy CR1. This area is focused on the High Street which has a variety of retail, civic and residential uses. Apartment developments have introduced residential units into the mix of uses. In addition to the High Street there are further retail and civil uses on King’s Road and Duke’s Ride.
- 7.26 I recommend a modification which takes a similar approach to that for the first of the two modifications in respect of policy CR1. Otherwise it meets the basic conditions

At the beginning of the policy insert: ‘As appropriate to their scale, nature and location’

Policy CR5 Promoting Good Design at East Crowthorne

- 7.27 This policy comments specifically about the East Crowthorne character area. Its approach is very similar to that of Policy CR1. This character area is a high quality, residential area, defined by a series of parallel streets, set within an undulating topography. Broadmoor Hospital influences the character of the area in the east. For the purposes of consistency, I recommend a modification which takes a similar approach to that for the first of the two modifications in respect of policy CR1.
- 7.28 Criterion xii comments that proposals should not obstruct views out of the character area, particularly on areas of raised topography. The approach taken in this policy is understandable. From my own observations from within the character area, the views are many and varied. In these circumstances, I recommend a modification so that the criterion becomes more general. In this context there would be no suggestion that there are any specific views to which the policy applies. Plainly the implementation of this part of the policy will be a matter of judgement for BFC on a case-by-case basis. In this context I also recommend that the supporting text addresses the potential need for a developer to incorporate a landscape and visual assessment within the details of any planning application which would have the potential to obstruct or affect detrimentally any identified view from within the character area.

At the beginning of the policy insert: ‘As appropriate to their scale, nature and location’

Replace criterion i. with: ‘Proposals should take account of any panoramic views out of the character area across the surrounding townscape, woodland and heathland and be designed in a positive way to respond to the visual relationship between the character and the wider neighbourhood area’

At the end of paragraph 5.16 add: ‘Plainly the implementation of policy CR5 will be a matter of judgement for Bracknell Forest Council on a case-by-case basis. Nevertheless, where a proposed development would have the potential to obstruct or affect detrimentally a view from within the character area out to the wider neighbourhood area developers will be required to incorporate a landscape and visual assessment within the relevant planning application details’

Policy CR6 Promoting Good Design at Wellington College/Edgbarrow School

- 7.29 This policy comments specifically about Wellington College character area. Its approach is very similar to that of Policy CR1. The character area is located to the west of the parish. It is dominated by the educational institutions of Wellington College and Edgbarrow Secondary School. There are large areas of open space within the educational estates.
- 7.30 Wellington College is an iconic feature in the neighbourhood area. It was founded in 1853 as a national memorial to the Duke of Wellington who had died in 1852. It was to be a school for orphans of officers, and all the money was voluntarily subscribed. As Pevsner (1966) describes ‘Wellington College is distinguished, it is not at all restrained, and some people may well call it fussy too. However, that may be, for the history of Victorian architecture it is highly important’
- 7.31 I recommend a modification which takes a similar approach to that for the first of the two modifications in respect of policy CR1. This recommended modification also reflects the helpful and supporting comments on this policy received from the College itself. Otherwise it meets the basic conditions.

At the beginning of the policy insert ‘As appropriate to their scale, nature and location’

Policy CR7 Promoting Good Design at Broadmoor

- 7.32 This policy comments specifically about the Broadmoor character area. Its approach is very similar to that of Policy CR1. The Broadmoor Hospital and estate is one of the oldest areas within the village. Set within an area of high ground above the rest of the settlement, the hospital is bounded by a high red brick wall that separates it from the surrounding settlement.
- 7.33 I recommend a modification which takes a similar approach to that for the first of the two modifications in respect of policy CR1.

- 7.34 The first criterion of the policy comments that development proposals should not obstruct views out of the character area which provide vistas across the townscape, woodland and heathlands on lower ground elsewhere in the neighbourhood area. BFC comment about the lack of clarity on the nature and the location of the ‘views’ to be safeguarded by the policy. In its response to the clarification note the Parish Council comments that:

‘While both the AECOM Design Guide and the Crowthorne Study (which forms part 3 of the Bracknell Forest Council Character Area Assessments SPD) reference the importance of views from Chaplain’s Hill and Broadmoor Hospital, neither study illustrates these particular viewpoints on a plan. The Design Guide usefully combines both the updated character assessment and the Crowthorne Study into a single document as an aid to development management. Given their plateau nature, the views afforded are more panoramic in nature albeit development has impeded some outward views. As such it is considered more challenging to define the views on a plan from a single viewpoint as is custom and practice’.

- 7.35 The approach taken in this policy is understandable. From my own observations from within the character area in general, and from the top of the raised plateau in particular, the views are many and varied, and in some cases panoramic. In these circumstances, I recommend a modification so that the criterion becomes more general. In this context there would be no suggestion that there are any specific views to which the policy applies. Plainly the implementation of this part of the policy will be a matter of judgement for BFC on a case-by-case basis. In this context I also recommend that the supporting text addresses the potential need for a developer to incorporate a landscape and visual assessment within the details of any planning application which would have the potential to obstruct or affect detrimentally any identified view from within the character area.

At the beginning of the policy insert ‘As appropriate to their scale, nature and location’

Replace criterion i. with: ‘Proposals should take account of any panoramic views out of the character area across the surrounding townscape, woodland and heathland and be designed in a positive way to respond to the visual relationship between the character and the wider neighbourhood area’

At the end of paragraph 5.20 add: ‘Plainly the implementation of policy CR7 will be a matter of judgement for Bracknell Forest Council on a case-by-case basis. Nevertheless, where a proposed development would have the potential to obstruct or affect detrimentally a view from within the character area out to the wider neighbourhood area developers will be required to incorporate a landscape and visual assessment within the relevant planning application details’

Policy CR8 Promoting Good Design in the Transport Research Laboratory (TRL) Character Area

- 7.36 This policy comments specifically about the TRL character area. Its approach is very similar to that of Policy CR1. The character area is primarily occupied by contemporary, isolated developments. It includes a large business park with office blocks set on large plots in well-vegetated landscaped surrounds.
- 7.37 The policy has two related parts. The first part adopts a similar fashion to that of Policies CR2-7 in identifying a series of attributes which development proposals should have regard. The second part comments about the need to maintain the separate identities of Bracknell and Crowthorne by ensuring the retention of a landscape buffer and a strategic gap between the TRL (northern) development edge and Bracknell to the north.
- 7.38 In the first part of the policy I recommend that the very specific reference to pine cladding is removed from the second criterion. Otherwise this part of the policy meets the basic conditions. I am satisfied that in the round that submitted policy adds value to Policy SA5 of the adopted Site Allocations Local Plan. I recommend a modification to the supporting text to make this matter explicit.
- 7.39 The second part of the policy has been designed to ensure that it is in general conformity with strategic policies in the development plan. As paragraph 5.24 of the Plan comments strategic policies in both the Core Strategy (CS9) and the Site Allocations Plan address the importance of a strategic gap between Bracknell and Crowthorne. Policy LP12 of the emerging Plan is also intending to continue this approach.
- 7.40 BFC expresses its concern that the requirement for a strategic gap between the defined settlement at the former Transport Research Laboratory and the defined settlement of Bracknell is out of the scope of the submitted Plan, as the gap would be located within the parish of Bracknell Town. It also comments that it is not clear what exact area this gap covers as it is not indicated on the policies map.
- 7.41 In its response to my question in the clarification note on this matter the Parish Council provided further detail to the policy background. It also reinforced its view about the local significance of this matter. In respect of clause (iv) of the policy it advised that the TRL development boundary has been specifically drawn to maintain the 500m strategic gap as evidenced by the rounding off of the north eastern housing development boundary on Plan G in the Submission Plan. The policy aims to ensure this boundary is maintained.
- 7.42 Having considered all the evidence on this matter I am satisfied that the intentions of the Parish Council fully align with strategic policies in the development plan. Nevertheless, the submitted Plan does not meet the basic conditions due to the inability of any neighbourhood plan to address development (or in this case the restrictions on development) outside its designated area. As BFC comment parts of the strategic gap

are outside the designated neighbourhood area and are within Bracknell Town. I recommend modifications both to the policy and to the supporting text to address this important procedural matter. Otherwise the second part of the policy meets the basic conditions.

- 7.43 I also recommend that the third paragraph of the policy is deleted and repositioned into the supporting text. It is effectively a description of the delivery of the second paragraph of the policy rather than a policy in its own right.
- 7.44 I recommend an update to the contents of paragraph 5.23 to acknowledge that the Buckler's Park development has now started.
- 7.45 Finally I recommend a modification to correct a typographical error in the relationship between paragraphs 5.22 and 5.23.

At the beginning of the policy insert 'As appropriate to their scale, nature and location'

In the first paragraph of the policy and criterion replace 'Building materials.....cladding' with 'Natural building materials'

In the second paragraph replace iv. with 'ensuring that development within the neighbourhood area maintains the strategic requirement for a strategic gap between the TRL development edge and the built-up boundary of Bracknell'

Delete the third paragraph of the policy.

In paragraph 5.22 separate the otherwise missing paragraph 5.23 after the second sentence into a free-standing paragraph.

Within the new paragraph 5.23:

In the second sentence delete 'this is currently being completed'

Replace the third sentence with: 'The development has now commenced within the context of an agreed design code'

In the fourth sentence replace 'at that time' with 'at a time before the Buckler's Park development commenced'

At the end of paragraph 5.23 add: 'In this context policy CR8 has been designed to add value to Policy SA5 of the adopted Site Allocations Local Plan'

At the end of paragraph 5.24 add the deleted third paragraph of the submitted policy.

Policy CR9 Crowthorne Centre

- 7.46 This policy comments about future development in the village centre. The Plan designates it as a District Centre. The policy includes the following component parts:
- the requirement for active frontages;

- guidance for new development proposals and for alterations to existing buildings;
- proposals which would result in the loss of existing shop units;
- enhancements to the High Street; and
- rear access improvements

7.47 In general terms the policy meets the basic conditions. It seeks to safeguard and to enhance the role of the village centre. This ambition will have a clear ability to contribute towards the delivery of sustainable development in the neighbourhood area.

7.48 However I recommend three modifications to the policy in the following areas:

- relating the first bullet point of the second paragraph to circumstances where it is practicable to connect planning applications and the public realm and where there is a direct relationship between the two:
- introducing a less specific approach on the production of shop signs
- clarifying the relationships involved in the penultimate paragraph of the policy and relocating supporting text from the policy itself

7.49 In each of these three cases the modifications recommended will bring clarity as required by the NPPF. In particular they clarify the relationship between the determination and enhancements to the public realm.

In the second paragraph of the policy and point I replace ‘retain or re-provide as necessary with ‘where practicable retain or re-provide’ and after streetscape add ‘where there is a direct relationship between the development proposal and the public realm

In iii. d. delete ‘practiced by a sign writer’

In the penultimate paragraph replace ‘agreed with the Parish Council’ with ‘included within development proposals concerned’. Thereafter delete the final sentence.

At the end of paragraph 5.27 add: ‘The penultimate paragraph of the policy seeks to relate new development to potential improvements to the public realm. [At this point insert the deleted final sentence of the penultimate paragraph of the policy].

Policy CR10 Station Parade, Duke’s Ride

7.50 This policy addresses the Station Parade off Duke’s Ride. The Plan designates it as a local centre. As the Plan comments it provides an important focal point in the residential area offering day-to-day shopping facilities. It also provides some more specialist and comparison retail outlets.

7.51 The policy takes a similar approach to that of Policy CR9. I recommend an identical recommendation on the production of shop signs. Otherwise it meets the basic conditions. In reaching this conclusion, I have taken account of the helpful response on this policy made by the Parish Council to my clarification note.

In iv. delete ‘practiced by a sign writer’

Policy CR11 Employment

- 7.52 This policy comments about existing employment facilities in the neighbourhood area.
- 7.53 The generality of the approach taken has regard to the sensitive balance of residential and employment uses in the neighbourhood area. As paragraph 5.33 comments it has been designed to refine Core Strategy Policies CS19 and 20. Its criteria and approach runs in parallel with that in CS20 (224).
- 7.54 BFC suggest that the policy is contrary to Core Strategy Policies CS19 and CS20 as the proposed boundary of the Broadmoor employment area is different from that shown on the Policies Map. In its response to the clarification note the Parish Council provided a detailed and updated map which shows that the area has effectively been extended to incorporate a now built-out planning permission (App/11/00743/FUL). In these circumstances I am satisfied that such an approach is entirely appropriate. It responds to updated evidence and development.
- 7.55 Nevertheless I recommend a modification to the policy so that there is a clear and functional relationship between the defined employment areas and the information shown on the Policies Map. I also recommend a detailed modification to ensure that the policy has the clarity required by the NPPF. Otherwise it meets the basic conditions.

In the opening sentence replace ‘Wellington.... employment area’ with ‘the Wellington Business Park and the Broadmoor employment area as employment areas’

Replace ‘will be resisted’ with ‘will not be supported’

Policy CR12 Enhancing Green Infrastructure

- 7.56 This policy comments about green infrastructure. It takes an ambitious approach in proposing the establishment of a Green Infrastructure Network. Thereafter its second and third parts set out a policy approach towards ensuring that any new developments on adjoining land enhance the surrounding natural environment and contribute towards the maintenance and improvement of the network itself.
- 7.57 The policy has attracted detailed representations from BFC and from Wellington College. In both cases the representations comment about the intention of the policy and the way in which it takes account of strategic policies in general terms, and makes an appropriate distinction between the terminologies used in the policy in particular. As Wellington College comment BFC has already produced several comprehensive studies of the area’s green infrastructure, which includes a Green Infrastructure Review; Play, Open Space and Sports Study; and Playing Pitch Strategy. These documents form part of the evidence base which underpins the emerging Local Plan. As part of these comprehensive studies, BFC identify Green Infrastructure as a network of multi-functional urban and rural green space which includes (but not limited to) assets ranging from natural and semi-natural green spaces, blue infrastructure, other green features (e.g. hedgerows) and paths, cycleways and verges. The College

comments that as currently-worded Policy CR12 confuses Green Infrastructure and Open Space, and it is unclear what the policy is trying to achieve.

- 7.58 BFC comment that it is unclear whether or not the policy intends to improve access to the Thames Basin Heaths SPA. If this is the intention, it asserts that the policy would be contrary to local strategic policy and the requirement that the making of a neighbourhood plan is not likely to have a significant effect on a European site.
- 7.59 I have taken these representations into account in assessing the extent to which the policy meets the basic conditions. Plainly they are important matters both in their own right and for the way in which BFC would be able to implement the policy with any certainty throughout the Plan period. I also have concerns about the wider approach of the policy. Firstly, it is partly a non-land use planning community aspiration (to establish a green infrastructure network) and partly a policy to ensure that other development does not impact on that network. Secondly, neither the policy nor the associated Green Infrastructure Network Map provide any clarity on the content, timing or the delivery of the proposed network. As such it will be impractical for BFC to assess whether any development proposal would prejudice the development of the proposed comprehensive network. In a similar fashion this lack of detail will provide no clarity for the development industry on how it could or could not accommodate the proposed network.
- 7.60 In these circumstances I recommend that the policy and its supporting text are deleted. I recognise that this will be a disappointment to the Parish Council. Nevertheless, it may be possible to incorporate a revised, updated and more specific policy (with appropriate details of the proposed network) in any future review of a 'made' neighbourhood Plan. Such an approach would overcome the practical issues which I have highlighted with the submitted policy in paragraph 7.59 of this report. However, to acknowledge the importance of the matter to the local community and the collaborative work that has been undertaken on this important matter I recommend that Section 6 of the Plan is expanded to incorporate the community's ambition to prepare a Green Infrastructure Strategy for the neighbourhood area.

Delete policy

Delete paragraphs 5.35-5.38.

Insert a new paragraph 6.6 of the Plan to read:

'The Parish Council will seek to work with Bracknell Forest Council, landowners (including Wellington College), Crowthorne Village Action Group, Crowthorne Reduce our Waste group and the local community to prepare a comprehensive Green Infrastructure Strategy and map of the Parish which addresses amongst other things the 'Urban Habitat Theme' objectives set out in Bracknell Forest Biodiversity Action Plan (2018 – 2023).'

Policy CR13 Biodiversity

- 7.61 This policy includes a comprehensive approach to biodiversity. Its ambitions to complement local policies are clearly set out in paragraph 5.39 of the Plan.
- 7.62 The Parish contains extensive environment assets. In this regard the policy is underpinned by an excellent, detailed study of protected and notable species (Appendix D).
- 7.63 The policy has three related parts. The first comments that development proposals which would have a detrimental effect on a series of environmental assets will be 'strongly resisted'. The second requires that new development should ensure the protection of local biodiversity assets. In addition, proposals should contribute to, increase and enhance the natural environment by providing additional habitat resources. The third requires that development proposals must result in a biodiversity net gain.
- 7.64 The policy has attracted two representations. Wellington College consider that the policy is overly prescriptive and suggest changes to reflect the approach in the NPPF. BFC comments that the wording of this policy is contrary to local strategic policies. It also expresses concern that the policy is not clear what is meant by 'local biodiversity assets' and what types of development will be required to demonstrate biodiversity net gain.
- 7.65 I have taken these helpful representations into account in assessing the policy against the basic conditions. In addition, whilst the Parish Council has sought to develop the policy in the context of local policies it also needs to have regard to national policy. In this context the first and the third parts of the submitted policy are very prescriptive. In particular, they fail to take account of the carefully-crafted relationship in national policy (paragraphs 174-176 of the NPPF) between the biodiversity status of any particular site and any benefits which may arise from a proposed development.
- 7.66 In all the circumstances I recommend that the policy is recast so that it applies the approach in national policy to the well-documented schedule of biodiversity assets in Appendix D. I can see that the submitted Plan makes reference to Policies CS1 and CS7 of the adopted Core Strategy. Whilst these are important policies in their own right, they are general policies rather than specific policies on this matter. In addition, the Core Strategy significantly predates the current version of the NPPF.
- 7.67 The recommended modified policy would have the following effect:
- organising the policy around the identified environmental and biodiversity assets in Appendix D;
 - applying the policy approach in paragraphs 174-176 of the NPPF to the identified assets; and
 - setting a policy context that development proposals should contribute to the natural habitats of the neighbourhood area wherever practicable.
- 7.68 I also recommend consequential/associated modifications to the supporting text. They also correct errors in paragraph numbering.

Replace the first part of the policy with:

‘Development proposals should take account of the protected and other notable biodiversity species in the neighbourhood area as set out in Appendix D of the Plan. Development proposals which would affect any of the natural assets as identified in Appendix D will be determined on the basis of the principles in paragraph 175 of the NPPF (2019)’

In the second part of the policy delete ‘Relevant development proposals.....In addition,

Delete the third part of the policy.

At the end of paragraph 5.39 add: ‘In addition it identifies protected and other notable species in the neighbourhood area to which paragraphs 174 to 176 of the NPPF would apply’

At the end of paragraph 5.42 add: ‘Policy CR13 seeks to follow such an approach. It identifies local assets and applies the national approach to biodiversity as set out in the National Planning Policy Framework. In particular, within an overall context of safeguarding biodiversity resources it offers the ability for some development to take place in certain cases. This would be either where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, or where there are wholly exceptional reasons and a suitable compensation strategy exists’

After (the first) paragraph 5.41 correct the sequencing of the paragraph numbers.

Other Matters - General

- 7.69 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for BFC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and its community facilities.
- 8.2 Following my independent examination of the Plan I have concluded that the Crowthorne Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to Bracknell Forest Council that subject to the incorporation of the modifications set out in this report that the Crowthorne Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Bracknell Forest Council 15 June 2016.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner.

Andrew Ashcroft
Independent Examiner
24 March 2020