

WARFIELD NEIGHBOURHOOD PLAN

Warfield Parish Council's response to the Examiners initial questions (Procedural Letter dated 29 March 2021) are set out below.

The Parish Council thank the Examiner for bringing these points to their attention and for the opportunity to provide clarification. The Parish Council would also like to thank the Examiner for her forbearance, given many of the events on which she has enquired took place a number of years ago.

The Examiner's questions are in **bold** text, with Warfield Parish Council's (WPC) response following each question.

Q7. Please address the request made by the previous Examiner, in her letter of 16 May 2019¹, for a response from WPC to claims made in representations that alleged that the consultation process had been inadequate and unsympathetic to residents, especially in the vicinity of Hayley Green.

WNP Response

WPC consider the involvement of the residents in the vicinity of Hayley Green was fair and even handed. Indeed, a member of the Steering Group was a resident of Hayley Green.

In October/November 2016 a period of informal consultation took place with the community and with Bracknell Forest Council (BFC) on the emerging draft policies, this followed the successful response to the community survey in March 2015².

WPC publicised three consultation events in this period, the first specifically for residents of Hayley Green on the 8 October 2016, the second on Saturday October 2016 at the Whitegrove Community Centre, County Lane and the third on Thursday 3rd November 2016 at the Brownlow Hall, Newell Green. The events included an explanation of planmaking thus far including a display of maps and documents, which included Plan A in the final WNP Housing Site Assessment Report (April 2017) illustrating the site options.

Communication and awareness of the events was very well publicised through 'The Wren' (the Parish Council Newsletter), but also via email to those who had 'subscribed' to updates, on the neighbourhood plan website, and through the Facebook group. In addition, two members of the Steering Group personally hand-delivered leaflets/invitations to 106 households in Hayley Green prior to the events.

At the Hayley Green session in particular, a detailed explanation of the site selection process was provided. This explained the challenge presented by the 'Parish Spatial Context' to help set the draft plan proposals and the alternatives in context. An explanation was also given on the way in which 'general conformity' with Core Strategy

¹ See footnote 1.

² Summary Report on the 2015 Neighbourhood Plan Survey [Link](#)

policy CS2 had to be applied to guide the allocation of land through that policy's 'Locational Principles'.

Following the sessions, a further explanation of the site selection process³ was sent by email to Hayley Green residents on the 15 November 2016, and soon after a 'Hayley Green Residents Group' (HGRG) was formed and called a meeting at the Cricketers Pub, inviting the Steering Group. Prior to this the Chm. of the Steering Group was invited to meet the Chm. of the Resident's Group to provide a full background of the Plan ahead of that session.

Subsequently, the HGRG provided an alternative concept layout for consideration and engagement with the group continued in the period prior to the Regulation 14 consultation. This alternative layout was tested as a 'reasonable alternative' in the WNP Sustainability Appraisal Report (see page 32 and Table F) and a response to this alternative was prepared and passed to the HGRG. This response, which includes a judgement on the likely implications of the alternative layout, is provided in Appendix A of the WNP Final SA Report.

Q8. In respect of the Consultation Statement, please provide additional evidence of the involvement of the wider community in the Neighbourhood Plan preparation process, in particular details of dates, times, venues and attendance of open sessions and public meetings, and the Steering Group's response to any representations made. In particular, how the community was engaged in the assessment of potential development sites and site selection.

WNP Response

WPC undertook extensive informal consultation with the wider community between 2012 and 2017 and consider the consultation process went well beyond the statutory consultation requirements for neighbourhood planning and Planning Practice Guidance. The timeline of consultation activities is included on page 2 and 3 of the Consultation Statement and summarises these activities, and the following provides further detail.

Parishioners were invited to participate in helping to develop and shape the WNP throughout this period, through publicity in 'The Wren', the Parish quarterly newsletter distributed to each household, and the Facebook page. A resident of Hayley Green was an active participant in the project as a member of the Steering Group. Despite best efforts, additional involvement from residents across the parish was not forthcoming.

The community was also kept informed and engaged, through reports and minutes available on the WNP. Steering Group members attended the Warfield Village Fete. A comprehensive residents survey was undertaken in early 2015 with a copy of the survey form delivered to every household in the Parish. 564 residents responded, and the summary report published in May 2015⁴. This was made available on the WNP website and

³ Including extract of Planning Practice Guidance ID: ID 3-028-20140306

⁴ Summary Report on the 2015 Neighbourhood Plan Survey for WPC [Link](#)

feedback provided in 'The Wren'. The survey provided baseline information to aid the preparation of the plan, alongside other topic based reports by the Steering Group. Section 4 of the Submission Plan summarises the outcome of the survey which was then used to inform the next stages of planmaking.

Work progressed on the Plan between the Autumn of 2015 and September 2016, during which a great deal of technical work was undertaken with the support of an officer from BFC who attended Steering Group meetings. The purpose of this work was to determine options for the allocation of land for housing, given at that time, there was considerable developer activity in the parish, a lack of a 5 year housing land supply, and several sites being promoted for development in locations the Steering Group, and many members of the community, considered unsuitable.

It was during 2016, that initial contact was made with local landowners from the 'long list' of sites to ascertain the availability of their land to inform further technical work. It was also during this period that WPC decided to commission its own local landscape evidence given concerns expressed by the community regarding settlement identity, and land promotion in the gaps between settlements, particularly along Forest Road. A presentation by BFC on strategic and local gaps in June 2015 informed by this Report⁵ had been inconclusive with regard to the treatment of the local gaps between these settlements.

This technical work and an assessment of site options based on the SG's own evidence and on the 'reasoning and evidence'⁶ of the emerging Comprehensive Local Plan available at that time, culminated in the events held at three venues over three days in October/November 2016 (as described in Q7 above) and manned by Steering Group members. The purpose of these events was to obtain views on the emerging policies in the draft plan and to explain the technical work undertaken and seek views on the site options.

The examiner will note from the WNP Site Assessment Report that the site options, informed by the BFC Strategic Housing Land Availability Assessment 2016, were extremely limited given the parish spatial context and the need for the neighbourhood plan to remain in 'general conformity' with the locational principles established by Core Strategy Policy CS2. In addition, planning approvals and refusals on other sites (such as WAR10 - Newhurst Gardens) limited the scope further and made the site assessment process more challenging.

However, the response to this informal consultation in 2016, compared to the response to the 2015 survey, was disappointingly low with only 40 members of the public attending, despite offering three different venue locations. It is difficult to know why the turnout was so low, but this may be because of the complex and multi-centred nature of Warfield Parish and perhaps the way in which each community identifies with their part of the Parish. It might also have been due to a general disillusionment with planning resulting

⁵ Bracknell Forest: review of local landscape designations, local/strategic gaps and green belt villages (Sept 2015) [Link](#)

⁶ Planning Practice Guidance Paragraph: 009 Reference ID: 41-009-20160211 (now superseded by ID: 41-009-20190509)

from the significant growth associated with the allocation in the Core Strategy (CS5/SA9 Land at Warfield – 2200 dwellings), and which was starting to be built out.

The Regulation 14 consultation on the Pre-Submission draft was held between 21 June and 8 September 2017, following a delay due to purdah (a general election having been called). Local residents were informed of the consultation through ‘The Wren’ and on the Parish notice boards and opportunities were made available to read either a hard copy or an electronic version of the draft WNP. A response form was provided but responses could also be made by email or letter to the Steering Group/Parish Clerk. In all, 85 parishioners responded to the consultation, in addition to those from statutory consultees, other relevant bodies and land promoters. The response to the representations are available in the Appendix to the Consultation Statement with a summary provided in paragraphs 4.20 to 4.23 in the Submission Plan.

Q9. Please describe the process and public engagement undertaken which resulted in the layout shown on the Concept Plan at Inset Map 2.

WPC Response

WPC wishes to direct the examiner to the response it provided to the matters raised by the first examiner in relation to Production of a “Statement of Common Ground” (E9, January 2020⁷), within which, page 4 of Appendix 1 responds to BFC’s Regulation 16 comments in respect of the paragraph 5.20 on page 32 of the Submission Plan and their comments on the Concept Plan included as Inset Map 2.

WPC wishes to reiterate that the process was driven by the Steering Group from the outset with the assistance of their technical planning advisors’ inhouse architectural team.

The Steering Group considered a number of site options and their suitability⁸, with the overall process described in the Housing Site Assessment Report⁹. This process had due regard at that time to the evidence that had supported the Core Strategy (2008) and Site Allocation Local Plan (2013), the ‘reasoning and evidence’ of the emerging Local Plan available at that time, and gaps in evidence bolstered by WPC’s own evidence and by the application of professional judgement.

Through the preliminary site assessment and capacity work it became evident that bringing forward smaller sites or brownfield sites to meet the housing target, preferred by the community in the 2015 survey, was unlikely to be possible given their limited supply. Added to which, the spatial constraints in the Parish, the need to ensure general conformity with Core Strategy Policy CS2 (Locational Principles) and CS9 (Development on Land Outside Settlement boundaries), and the need to avoid coalescence played a significant role in determining suitable sites.

⁷ E9 WNP Production of a Statement of Common Ground (Jan 2020) [Link](#)

⁸ WNP Site Assessment and Capacity Study Annex A [Link](#)

⁹ WNP Housing Site Assessment Report (April 2017) [Link](#)

Furthermore, there were a number of sites in the supply being actively promoted through planning applications, given at that time BFC could only demonstrate about a 4 year housing land supply. It was through this site selection exercise and the associated work on the sustainability appraisal that a preferred option in what was considered the most sustainable location began to emerge to meet the indicative housing requirement.

However, given the option focussed on a series of individual but connected sites in the same settlement, it was considered that further testing of their potential deliverability and availability for comprehensive development would be necessary to inform further informal consultation.

To this end, a preliminary concept layout option resulted from a workshop with the Steering Group in April 2016. This was based on the opportunity to create an integrated plan for the development of the cluster of sites at Hayley Green which emerged from the limited number of sites considered to be suitable and confirmed as available following contact with landowners of the 'long list' of sites in early 2016. Up until this point, the sites in Hayley Green were being promoted individually and considered separately through the BFC SHELAA.

In undertaking this exercise, the Steering Group acknowledged the opportunity to plan positively and from first principles and that a masterplanned landscape led approach would offer considerable benefits over incremental developer led planning applications on each land parcel.

Prior to public engagement on a concept layout, a meeting took place in May 2016 with the multiple landowners of the land parcels at Hayley Green to secure support for a comprehensive vision defined by the concept layout option and the development principles resulting from the Steering Group workshop. The concept layout and development principles in paragraph 5.20 of the Submission WNP were the basis of this agreement – not the other way around. The meeting also secured confirmation of deliverability, as is good neighbourhood planning practice¹⁰, and further land was made available that had not been previously promoted through the BFC SHELAA.

Following confirmation of availability and deliverability and their commitment to work together (a legal agreement is in place), engagement on the concept layout took place in October/November 2016 as explained in the response to Q7 and Q8 above. A number of respondents welcomed the community benefit that the proposed publicly accessible green space in the form of a 'village green' would provide, whereas others did not wish to see any development at all, or were content for development, but wanted it elsewhere.

These comments were noted, and the proposal for a community hub/building off Hayley Green (Road) removed as the feedback received was that there was no need for such a facility. In addition, the initial proposal to include the Montessori School site (which had recently closed) within the site boundary was removed, which at the time was a great disappointment, given facility could have served the community well.

¹⁰ Note: In terms of deliverability, we are advised by the agent to the land promoters that a pre-application meeting with the BFC Development Managements officers took place in January 2019

As stated in Q7 above, further meetings were then held with the HGRG in late 2016 to try and identify common ground, following which the HGRG prepared an alternative layout. This was tested through the sustainability appraisal and feedback given on the spatial and planning implications of the alternative scheme in January 2017.

The concept layout was also validated by a chartered landscape architect through the Local Landscape Appraisal¹¹ commissioned by WPC. The appraisal was available during the Regulation 14 consultation period and confirmed that in landscape terms the proposed concept layout “provides a logical approach to development in that it:

- extends the existing linear settlement pattern along the B3034 to the east of existing development on the northern side of the road but no further eastwards than existing development to the southern side
- makes appropriate use of Hayley Green (Road) and the Bracknell Road as defensible stops to development preventing further expansion into the wider landscape and utilising well established field boundaries and mature vegetation to provide a high quality setting to new development and screening and filtering of views into residential areas from the wider landscape to the north.
- avoids coalescence of settlements through the constraining buffers of open land associated with Warfield House and grounds to the west and Lambrook School to the east.
- avoids incursion into the existing woodland buffer to the south, maintaining linearity of development alongside the B3034.”

BFC’s response to the Examiners Q4 discusses landscape sensitivity. WPC’s landscape appraisal and gap study considered the landscape sensitivity of the eastern edge of the site, along with other parameters. WPC are very familiar with the Landscape Sensitivity Appraisal¹², however we note that landscape sensitivity is just one of several parameters that would inform site selection, location and layout. WPC also note that in respect of Hayley Green, if the landscape appraisal conclusions were applied without other balancing considerations, then development would also be preferred in the gaps to the west and east of the Hayley Green settlement, where sensitivity is of a lower scale (see LP.Ev.5E Figure 3.4 map, page 112). Nor if landscape sensitivity was the principal parameter used to make decisions, would the BFC Pre-Submission Local Plan include a strategic allocation at Jealott’s Hill (LP Policy 7 - WAR3), which has medium to high landscape sensitivity. As in all things, planning requires a balanced judgement to be made, as was the case with the concept layout.

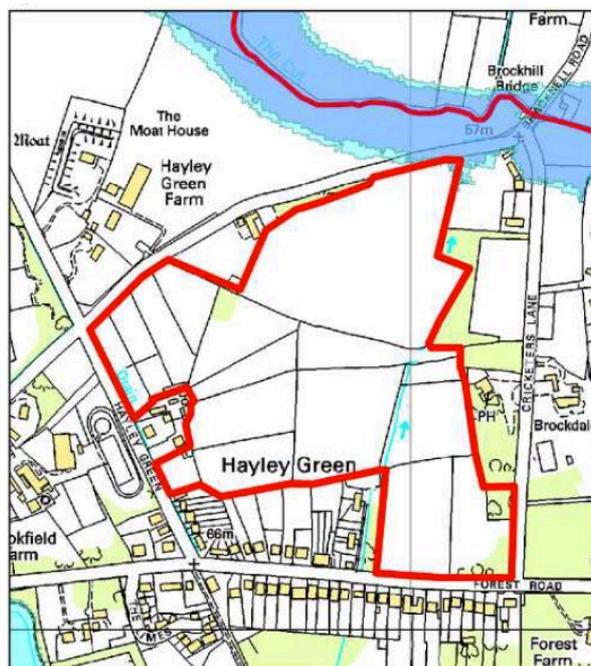
On the matter of fluvial flood risk, BFC’s Level 2 Strategic Flood Risk Assessment (SFRA)¹³ and the BFC site assessment work confirmed that 99.8% of the land within the allocation boundary of WNP2 falls within Flood Zone 1 and the remaining 0.2% falls within FZ2 and FZ3, and within the flood plain of The Cut adjacent to the B3022. These flood zones fall

¹¹ Local Landscape Appraisal: Hayley Green, Newell Green and Warfield Street: (LanDesign Associates, Chartered Landscape Architects, Jan 2017 updated June 2017) [Link](#) to WNP supporting documents. LLA [Part A](#) and [Part B](#)

¹² Landscape Sensitivity Appraisal of Potential Housing and Employment Sites (LP.Ev.5e Feb 2018) [Link](#)

¹³ BFC SFRA (LP.Ev.9F - assessment of ‘Cluster 7’ page 111) [Link](#)

outside the development area as illustrated overleaf. The flood risk parameters were evident to WPC and informed the concept layout.



Flood Zones within the site boundary

In respect of surface water flooding, a further surface water drainage technical note was prepared by the land promoters and tabled at a pre-application meeting in January 2019. This describes the surface water strategy for the site, which is to maintain the existing on site flow routes with discharge rates attenuated within lined SuDS features such as ponds and swales (the site underlain by London Clay) before discharging into existing ditches. Flow control devices will be used to limit surface water discharge. The strategy is consistent with the broad land use parameters and drainage features illustrated within the concept layout.

In terms of the continuing comments by BFC on the evidence that informed the 'concept layout', WPC feel it necessary to refute (again) the statement made in response to the Examiner's Initial Question 4 in E16, and BFC's response to it in E17 (page 5). To continue to repeat the same assertions regarding the concept layout and "the best disposition of land uses" is disappointing and continues to have an undermining effect on the WNP. This despite a meeting with officers following the Regulation 14 consultation on the 31 Oct 2017 to rebut these assertions, and WPC's insistence at every stage that such statements are wholly incorrect.

BFC have never offered to provide their own view of an alternative layout, however we suspect given their comments, it would not provide the community benefit that results from the concept layout illustrated in Inset Map 2, and therefore would run counter to NPPF Paragraph 29 (NPPF 2012 paragraph 183). WPC are also reminded of the first Examiners references to Planning Practice Guidance in letter E8 paragraph 3... "Who leads in neighbourhood planning in an area?" and "The Role of the Local Planning Authority in neighbourhood planning".

Furthermore, in their E17 response, BFC suggest the concept layout included as Inset Map 2 should be deleted from the Plan and criterion (vi) of Policy WNP2 be modified to place the control of the masterplanning in the hands of local planning authority rather than the community, to which WPC profoundly disagree. Such an approach profoundly contradicts the fundamental basis of neighbourhood planning as described by NPPF paragraph 29.

While a rebuttal on the matters related to the concept layout were provided in WPC's E9 response, WPC would respectfully request that the Examiner does not cede to this latest request because Policy WNP2 (including clause vi) in combination with Inset Map 2 and paragraph 5.20 are fundamental to the WNP, without which, Policy WNP2 would lose clarity and run counter to Planning Practice Guidance.

How should the policies in a neighbourhood plan be drafted?

A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

PPG: 041 Reference ID:41-041-20140306

WPC note BFC's proposed amendment to WNP2 clause (vi). Should this be a consideration of the Examiner in the course of her examination, then WPC offer the following alternative modification to add additional clarity and precision"

(vi) A single comprehensive masterplan and design code is prepared informed by the concept layout illustrated in Inset Map 2 and design principles in paragraph 5.20 of this Plan. The masterplan and design code will be submitted for approval by Warfield Parish Council and Bracknell Forest Council prior to any planning applications being submitted for the site.

It might be that BFC's assertions regarding the concept layout originate simply from a difference in professional opinion and judgement on what is an 'appropriate strategy' for the site, but BFC's comments are not based in fact and continue to have an undermining effect on the WNP, as they did at earlier stages. WPC would therefore respectfully suggest to the Examiner that the concept layout illustrates the fundamental vision and strategy which should underpin, in the opinion of the WPC, a successful scheme.

The modifications suggested by BFC would also make largely irrelevant the work on the WNP to date. If the examiner is minded to amend clause (vi) of the policy this alternative modification, provides BFC with the oversight they require but retains the neighbourhood plan policy intact so it can be properly tested at the appropriate point before planning approval is given. Otherwise, this neighbourhood plan would have had no purpose.

The concept layout is intended to help define and secure the positive community benefit that is fundamental to the successful implementation of Policy WNP2, which in turn will deliver sustainable development that is central to neighbourhood planmaking as defined

by the NPPF as a whole, and paragraph 29 in particular, including the role that local communities may play in achieving well designed places¹⁴.

WPC welcomes Bracknell Forest Council's support for Policy WNP 2 (Hayley Green Allocation) and confirmation in their response to the Examiner (E17 dated 26th April), of their view that the policy has regard for National Planning Policy Framework (NPPF) paragraph 29 and is in general conformity with the Development Plan.

¹⁴ National Design Guide paragraph 17 (January 2021) [Link](#)

Q10. In respect of the Basic Conditions Statement, as updated January 2019, does WPC consider there are any updates required to the Plan as a consequence of subsequent revisions or changes to national planning policy or legislation, for example the Use Classes Order¹⁵ or to local policy, particularly in relation to the emerging Local Plan (having regard to the advice in the PPG referenced in qu. 2 above)? In this regard, please advise on BFC's preference for an amended Plan period of 2019-2036.

WPC Response

Use Class Order 2020

The WNP does not specifically quote 'Use Classes' in any policies, although a range of 'uses' are listed in policy WNP10. In which case, WPC do not consider that there is a need to update the WNP as a result of the change to the Use Class Order 2020. However, if the Examiner thinks it useful and for the avoidance of doubt, we have attached a note (Attachment 1) on the application of the Use Class Order which might be added to an appendix to the neighbourhood plan to clarify how the new Use Class Order should be applied. This note was included in the New Milton NP following its examination.

Climate Change and Ecological Emergency

These issues have gained considerable prominence since the submission in January 2019.

In respect of Climate Change, the Government has confirmed local plans and neighbourhood plans continue to have freedom to address this matter, and particularly the energy performance of new buildings. In their response to the Future Homes Standard consultation¹⁶, the Government confirmed they do not intend to amend the Planning and Energy Act 2008 and that as a result the setting of energy efficiency standards at the local plan or neighbourhood plan level is still permissible. This updates previous written ministerial statements, including the often quoted statement HCWS488 made on 25 March 2015¹⁷. However, given the significance of this requirement and the advanced stage of the WNP, WPC feel this matter should be left to the relevant policies in the emerging Local Plan.

In respect of biodiversity, Policy 10 requires a 'net gain' to be secured 'where possible'. This caveat is now inconsistent with the NPPF 2019 paragraph 170(d), and the objectives set out in the Government's 25 Year Environment Plan, the Environment Bill, and the National Design Guide (updated in January 2021). WPC suggest Policy 10 should be modified to remove the phrase 'where possible' in order to have full regard to the NPPF.

¹⁵ The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

¹⁶ The Future Homes Standard: Government Response; January 2019: Chapter 2 [Link](#)

¹⁷ <https://questions-statements.parliament.uk/written-statements/detail/2015-03-25/HCWS488>

Plan Period and parish housing requirement

One further change of significance to the WNP was the introduction of NPPF paragraphs 65 and 66 in 2018 and, as the Examiner points out, Planning Practice Guidance (PPG) reference ID:41-009-20190509 (updated following the submission of the WNP). ID41-009 is intended to ensure complementary neighbourhood plan and local plan policies are produced. It confirms that “strategic policies should set out a housing requirement figure from their overall housing requirement” and the resulting expectation that ‘qualifying bodies’ will be provided with a ‘housing number’ – either an “overall requirement” or an “indicative requirement” should this be requested.

The WNP Basic Conditions Statement (updated January 2019) was prepared in the transitional period between the 2012 and 2018 NPPF. WPC acknowledged this arrangement by including references to both the 2012 and 2018 NPPF. However, NPPF paragraphs 65 and 66 did not form part of National Planning Policy until after the Regulation 14 consultation was completed.

The examiner will note the explanation in the WPC E9 Examination Statement for adopting a shorter plan period given the prevailing uncertainty in 2017 – 2018 of the emerging Local Plan spatial strategy and housing land supply position. Paragraphs 3.6 and 3.7 of the Pre-Submission plan¹⁸ summarised this uncertainty.

Following comments by BFC in response to Regulation 14 consultation in September 2017, a further meeting took place between WPC and BFC on 31 Oct 2017 to discuss and agree a housing number and plan period. While the meeting was inconclusive, BFC requested paragraph 5.11 of the Pre-Submission plan, which referred to a housing number, be deleted. In response to the meeting, the relevant paragraphs in the Submission Plan (3.7 – 3.12) were redrafted to explain the reasons for amending the Plan Period, and a modified paragraph 5.11 was included in the Submission Plan regarding the housing number.

This explanation was felt to be necessary to ensure general conformity with the strategic policy framework at that time and to avoid the circumstances outlined in PPG ID41-009. The approach adopted reflected similar circumstances considered by the Examiner of the Long Crendon Neighbourhood Plan¹⁹.

WPC has consistently believed the Neighbourhood Plan to be planning positively to support the strategic development needs of the Borough by making a housing site allocation and supporting economic and community benefits in the parish which accord with its own clear spatial vision in the absence, during 2016/2017, of an up-to-date Local Plan or an agreed objectively assessed housing need position.

However, with the passage of time, the WPC now accepts the circumstances have changed. The emerging Local Plan, as set out in in paragraph 7.44 of the Regulation 19 Pre-Submission Local Plan, supports the principle of the allocation of Land at Hayley

¹⁸ WNP Pre-Submission Plan [link](#)

¹⁹ Report on Long Crendon Neighbourhood Plan 2013 – 2023 [Link](#)

Green for 235 dwellings in line with the requirements of NPPF paragraph 65 - although the statement is somewhat ambiguous in relation to the application of NPPF paragraph 14(b) should this be necessary.

WPC is now content for the Plan Period to be amended to 2037 to align with the emerging Regulation 19 Local Plan. Should the Examiner recommend a modification to the Plan Period, The WPC believes it would also be helpful to obtain confirmation through this examination that the WNP, should it be successfully 'made', will comply with part (b) of NPPF paragraph 14.