

INDEPENDENT EXAMINATION OF THE LAMBOURN

NEIGHBOURHOOD DEVELOPMENT PLAN

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Examination Ref: 02/AM/LNP

Sue Cocker
Lambourn Parish Council

Laila Bassett
Principal Planning Officer
West Berkshire Council

Via email

27 July 2026

Dear Ms Cocker and Ms Bassett

EXAMINER'S QUESTIONS

Further to my procedural letter of 21 July 2026, specific questions of clarification directed to Lambourn Parish Council (LPC) and West Berkshire Council (WBC) are listed below.

I am happy to receive comments from either party on any of the questions which are not directed at them in the first instance. Please aim to provide written responses by **Monday 10 August 2026**.

Questions for LPC

1. WBC has suggested an amendment to paragraph 6.7.1 of the Plan to refer to the Berkshire Local Nature Recovery Strategy (LNRS) published in October 2025. Does the LPC consider the Plan is compatible with the LNRS under Section 104 of the Environment Act 2021?
2. Does the LPC consider that the Plan is compatible, where appropriate, with the development and use of land in the Neighbourhood Area contributing to the mitigation of, and adaptation to, climate change?
3. WBC has suggested detailed amendments to Policies L1, L2, L6, L7, L8, L9, L13, L16, L17 and L18. Please may I have the comments of LPC to those suggestions?

Questions for LPC and WBC

4. Policy L10. The draft policy includes a reference to the public benefits of the proposal. This reference is maintained in the suggested amendment by WBC. The public benefit of a proposal is not included as a consideration in the NPPF, paragraph 216. Therefore, to have regard to national guidance, I have drafted a suggested policy below on which I would be pleased to have comments from both Councils:
"Where a proposal would result in harm to the significance of a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Housing

5. The LNP indicates sites for 65 dwellings in Lambourn in the West Berkshire Local Plan Review (LPR). Policy RSA17 allocated Land adjoining Lynch Lane for approximately 60 dwellings. Policy RSA18 allocated Land at Newbury Road for approximately 5 dwellings. Policy SP12 of the LPR states that it will be necessary for the LNP to identify sites for approximately 25 further dwellings. Moreover, sites allocated within the LPR cannot be counted towards this housing requirement. The LNP accordingly allocated 3 sites for further residential development: Policy L14A Land at Wantage Road for approximately 25 dwellings; Policy L14B Former Royal British Legion Site, Big Lane for approximately 10 dwellings; and Policy L14C Land at Collingridge Farm for approximately 10 dwellings.

The Regulation 16 representation from RAW Planning on behalf of the Injured Jockeys Fund (IJF) states that the allocation of Land at Collingridge Farm is no longer available for development of approximately 10 dwellings. With the purchase of the land by the IJF last year, the site is now required to support the future operational needs of the adjoining Oaksey House Rehabilitation Centre. It therefore asserts that the 10 dwellings provided for in Policy L14C are not deliverable and the policy should be deleted. Considering the reasons advanced in the representations, I agree and I am minded to recommend the deletion of Policy L14C.

A new basic conditions now applies which requires that *“the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made.”* Given that, if the Neighbourhood Plan were not to be made, the LPR allocations under Policies RSA17 (60 dwellings) and RSA 18 (5 dwellings) would still remain, it seems to me that the Basic Conditions would still be met. I **would be pleased to have comments from both Councils on the deletion of Policy L14C.**

6. The Regulation 16 representation from Professor Wes Armour claims the Neighbourhood Plan is deficient because it fails to meet the Basic Conditions due to (i) failure to have regard to national policy: three paragraphs from the NPPF are quoted (See 3.1 of the representation); (ii) failure to address the Public Sector Equality Duty (See 3.2 of the representation) and (iii) a failure to adequately consult known vulnerable households. **I would be pleased to have the comments from both Councils on those claims.**
7. Professor Armour also seeks four modifications to the Plan. The first modification seeks a new policy which, when a planning application is made for residential development in certain specified circumstances, requires (i) a Disability and Equality Impact Assessment, the details of which are listed in the suggested policy; (ii) evidence of pre application consultation with relevant parties in Social Care; and (iii) a Construction Management Plan (CMP), which specifically addresses individual needs of any identified disabled residents.

The second modification seeks a strengthened amenity policy, with a requirement to refuse a planning application where full mitigation of harm to the documented

vulnerabilities of any disabled resident with a protected characteristic under the Equality Act 2010 who resides adjacent to the application site will not be achieved.

The third modification seeks a requirement for re-application engagement with any immediately adjacent household containing a protected characteristic under the Equality Act 2010.

The fourth modification seeks a statement in the Plan that a standard CMP would not satisfy the Public Sector Equality Duty obligations where clinical evidence establishes that a vulnerable disabled resident adjacent to the site faces risks beyond those a standard CMP is designed to address. Remedial requirements are included in the suggested modification.

My initial conclusions on the proposed modifications are that, so far as a general health impact policy is concerned for residential (and obviously including other) development, Policy DM12 of the LPR would cover most of the circumstances to which Professor Armour refers and would enable the effects of development on his son's particular circumstances to be taken into account when considering a planning application for residential development in Land adjoining Lynch Lane. However, should a general policy result in any form of cordon sanitaire being imposed on the Land adjoining Lynch Land so that development could not take place within a certain distance of an adjoining property, on the basis of the evidence submitted, it appears to me that the effect on the allocation under Policy RSA17 for 60 dwellings would mean that it would be highly likely the Plan would fail the Basic Condition that *"the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made."*

This issue about Policy RSA17 should have been dealt with in the preparation of the LPR which, with modifications, was found to be sound and has been adopted. **I would be grateful for comments from both Councils on the four modifications to the Plan sought by Professor Armour.**

8. Policies 14A and L14B. Criterion ii for each allocation states that a Design Code has been prepared for the site. This appears to be a slight misrepresentation. Would it be more accurate to state *"Development of the site should have regard to the guidance set out in the Design Code (Appendix G)"*. **I would be pleased to have comments from both Councils.**

Questions to LBC

9. Policies L14A and L14B. Is the access point for each site able to be shown on a map and, if so, please could maps be submitted?
10. Policy L14B. Does the LBC agree that the site allocation at L14B should include an archaeological assessment as suggested by WBC?

Should you have any queries arising from these questions, I would be grateful if you can please direct these to me via the IPe office team.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter, and any subsequent written responses, are placed on the Lambourn Parish Council and the West Berkshire Council websites.

Thank you in advance for your assistance.

Yours sincerely

Andy Mead

Examiner