

**INDEPENDENT EXAMINATION OF THE LAMBOURN
NEIGHBOURHOOD DEVELOPMENT PLAN**

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Examination Ref: 02/AM/LNP

ANSWERS from LPC TO EXAMINER'S QUESTIONS

Q #	Question	Response from LPC
1. (for LPC)	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?	Yes. LPC accepts the Amendment and does consider the Plan is compatible with the LNRS. Policies in the Plan, and the Design Code, seek to enhance biodiversity and encourage wider environmental benefits, supporting the biodiversity objectives in the LNRS and contributing to the national Nature Recovery network.
2. (for LPC)	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?	Yes. As stated in 13.2.7, Climate Change (Key Themes, pg 100): "Responding to climate change is central to the Neighbourhood Plan." The Plan encourages "development that is resilient to a changing climate and incorporates sustainable construction methods, as outlined in the Lambourn Design Code (Appendix G)" Policies in the Plan address issues such as sustainability, biodiversity, flood risk, green infrastructure and the protection of the River Lambourn (a chalk stream). The Plan supports improved building performance, using local examples to illustrate the point.
3. (for LPC)	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?	See separate document
4. (for LPC & WBC)	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	LPC thanks the Examiner for his suggested policy, which it supports.

	guidance, I have drafted a suggested policy below on which I would be pleased to have comments from both Councils: <i>“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.”</i>	
5. (for LPC & WBC)	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.	LPC agrees with the Examiner’s guidance and supports the deletion of Policy L14C.

	A new basic conditions now applies which requires that <i>“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.”</i> 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. (for LPC & WBC)	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.	The Lambourn NDP does not deal directly with the Lynch Lane site, as it was allocated by WBC prior to Designation of the Neighbourhood Area in December 2018. Informal and formal public consultations on the LNDP, carried out between 2018 and 2025, did include information about the housing sites already allocated by WBC. (For details, see Consultation Statement)
7. (for LPC & WBC)	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.	As this relates to a strategic policy in the LPR, LPC is mindful that this could result in a conflict and therefore defers to WBC on ensuring the appropriate conditions are applied to any future permission.

	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 <i>"the making of the neighbourhood development plan would</i>	
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	<i>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.”</i> 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. (for LPC & WBC)	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 <i>“Development of the site should have regard to the guidance set out in the Design Code (Appendix G)”</i>. I would be pleased to have comments from both Councils.	LPC supports the wording suggested by the Examiner: <i>“Development of the site should have regard to the guidance set out in the Design Code (Appendix G)”</i>. The Design Code (Appendix G) does include design codes for Policies L14A, L14B and L14C. These can be found in the section Site Specific Housing Allocations, starting on pg. 48 of Appendix G and displayed on the LPC website HERE.
9. (for LPC)	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?	The Design Code (Appendix G) does include maps for Policies L14A and L14B. These can be found in the section Site Specific Housing Allocations, starting on pg. 48 of Appendix G and displayed on the LPC website HERE.
10. (for LPC)	Policy L14B. Does the LPC agree that the site allocation at L14B should include an archaeological assessment as suggested by WBC?	LPC supports WBC’s suggestion that the site allocation at L14B should include an archaeological assessment