

# **Twyford Neighbourhood Development Plan 2018-2038**

**A report to Wokingham Borough Council on  
the Twyford Neighbourhood Development Plan**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) M.A. DMS M.R.T.P.I.**

**Director – Andrew Ashcroft Planning Limited**

## **Executive Summary**

- 1 I was appointed by Wokingham Borough Council in November 2022 to carry out the independent examination of the Twyford Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 19 December 2022.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its character and appearance. It also proposes a package of policies for the village centre.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Twyford Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**21 March 2023**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Twyford Neighbourhood Development Plan 2018-2038 (the 'Plan').
- 1.2 The Plan has been submitted to Wokingham Borough Council (WBC) by Twyford Parish Council (TPC) 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) 2012 and its updates in 2018, 2019 and 2021. 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 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. It has a clear focus on maintaining the character and appearance of the neighbourhood area and safeguarding and enhancing the village centre.
- 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 WBC, with the consent of TPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WBC and TPC. 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. I have 40 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of examining neighbourhood plans. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *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 as submitted proceeds 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 Sections 7 and 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 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

### 3 Procedural Matters

3.1 I have considered the following documents during the examination:

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement
- the SEA/HRA Screening Statement;
- the Twyford Design Guidance and Codes;
- the Twyford Housing Needs Assessment;
- the representations made to the Plan;
- TPC's responses to the clarification note;
- WBC's response to the clarification note;
- the adopted Core Strategy (2010);
- the adopted Managing Development Delivery Local Plan (2014);
- the WBC Sustainable Design and Construction Supplementary Planning Document (and its Companion documents) (2010);
- the WBC First Homes Interim Policy Statement (January 2022);
- the National Planning Policy Framework (July 2021);
- Planning Practice Guidance;
- the Planning Update Written Ministerial Statement (March 2015); and
- the First Homes Ministerial Statement (May 2021).

3.2 I visited the neighbourhood area on 19 December 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The 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 was satisfied that the Plan could be examined without the need for a public hearing. In coming to this conclusion, I took account of the detailed nature of many of the comments made on the Plan and the level of detail in the Plan and its supporting documents. This level of detail gave me a useful and a comprehensive insight into the views which were made.

## 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, TPC has prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (April to May 2022). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices. It is a good example of a Consultation Statement.
- 4.3 The Statement sets out details of the comprehensive range of consultation events and activities that were carried out in relation to the initial stages of the Plan. They included:
- the various local events (as set out in detail in paragraph 2.4);
  - the 2019 Parish survey;
  - the distribution of leaflets to households; and
  - the use of social media.
- 4.4 The Statement also provides details of the way in which TPC engaged with statutory bodies. I am satisfied that the process has been proportionate and robust.
- 4.5 Appendices C1 and C2 of the Statement respectively provide details about the comments received during the consultation process from statutory bodies and the wider community at the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. This process helps to describe the evolution of the Plan.
- 4.6 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I am satisfied that TPC sought to engage with residents, statutory bodies and the development industry as the Plan has been prepared.

### *Representations Received*

- 4.8 Consultation on the submitted plan was undertaken by WBC and ended on 23 November 2022. This exercise generated comments from the following organisations:
- Natural England

- Historic England
- Transport for London
- Wokingham Borough Council
- Thames Water
- Ruscombe Parish Council
- David Wilson Homes
- First Homes West Limited
- Bridge House Care Village
- Croudace Homes
- Berkeley Strategic Land Limited
- British Horse Society
- Berkshire Gardens Trust
- Sport England
- Berkshire Archaeology

4.9 Representations were also received from residents in the parish.

4.10 I have taken account of the various representations as part of the examination of the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area consists of the parish of Twyford. Its population in 2011 was 6618 persons living in 2929 houses. It was designated as a neighbourhood area on 6 August 2018. It is located between Reading to the west and Maidenhead to the east.
- 5.2 Twyford is an attractive village. It has a vibrant village centre based around the Waitrose store and a series of national and independent shops. New Bath Road provides a very sharp northern boundary to the village. The village is bisected by the railway. The railway station has an important role both in the village and the wider area. There are two Conservation Areas in the parish. The Twyford Village Conservation Area was designated in 1977 and revised in 1996. The Twyford Station Conservation Area was designated in 1996.
- 5.3 As the Plan describes Twyford is a dormitory village, with most residents travelling to work outside of the parish. It does not have any secondary schools, so there is significant traffic created by the movement of children. At the same time Twyford has become an important commuter station particularly for travel to London and other centres to the east. The railway station is the very accessible and is recognised as providing the best and fastest services into London within the surrounding area.

### *Development Plan Context*

- 5.4 The Core Strategy was adopted in January 2010. It sets out the basis for future development in the Borough up to 2026. Policy CP9 comments that the scale of development proposals in the Borough must reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility. It advises that development proposals (in addition to the strategic development locations in Policies CP18-21) within development limits will be acceptable in the major development locations. Twyford is one of the major development locations.
- 5.5 The Core Strategy is underpinned by the Managing Development Delivery Local Plan (MDD). It was adopted in February 2014 and includes a series of development management policies and allocates sites for residential development. Policy SAL02 allocates land west of Hurst Road, Twyford for the delivery of around 20 dwellings (site TW103). Policy CC08 safeguards land for the Twyford Eastern relief road.
- 5.6 The following other policies in the MDD Local Plan are particularly relevant to the submitted Plan:
  - Policy CC03 Green Infrastructure, Trees, and Landscaping
  - Policy CC04 Sustainable Design and Construction
  - Policy CC09 Development and Flood Risk
  - Policy TB05 Housing Mix
  - Policy TB15 Major Town and Small Town /District Centre Development
  - Policy TB24 Designated Heritage Assets
  - Policy TB26 Buildings of Traditional Local Character and Areas of Special Character

- 5.7 WBC is preparing a new Local Plan that will replace the existing Core Strategy and MDD Local Plan in due course. The new plan will cover an extended period. This was envisaged to be up to 2037/38 in the last stage of consultation but is now likely to be for a longer period. Consultation has taken place on an Issues and Options (2016), a draft Plan (2020) and a Revised Growth Strategy (2021). A detailed timetable for the continued preparation of the Plan will be published in Spring 2023 once WBC has assessed the implications of the national consultation exercise on potential changes to the plan-preparation process.
- 5.8 The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the Borough. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

#### *Unaccompanied Visit*

- 5.9 I visited the neighbourhood area on 19 December 2022. I approached from the A4 to the north. This allowed me to understand its connection with the strategic highway network.
- 5.10 I looked initially at the northern part of the village off Wargrave Road. I saw the scale and significance of houses of different time periods. I saw the two pedestrian accesses into the King George V playing field and the extensive range of facilities available.
- 5.11 I then looked at the village centre. I saw the healthy mixture of national and independent traders. I saw first-hand the popularity of the Waitrose store. I looked carefully at the arrangement of the roads and streets. I walked along London Road up to the Polehampton CoE School. It was clear that the buildings had aged well and continue to contribute to the character and appearance of this part of the village. I then looked carefully at the Almshouses. The plaque at the front of the building was very informative.
- 5.12 I then walked along Church Street and Station Road to the railway station. In doing so I saw St Mary's Church, the War Memorial, and the interesting Victorian terraces in the Station Road Conservation Area. It was encouraging to see that the various shops in this part of the village had either been retained or had been sensitively converted into residential uses whilst retaining their former appearance.
- 5.13 This approach continued beyond the station at The Golden Cross Public House (with appropriate golden lettering) and the ornate iron support pillars in the bay windows of the houses in Montreal Terrace.
- 5.14 I then looked at the scale and extent of the Stanlake Meadow Recreation Ground to the south of the railway.
- 5.15 I then retraced my steps back to the village centre. I walked along the western part of the High Street up to the River Loddon. This enabled me to see the Library, Twyford

Centre and Polehampton Court (off Polehampton Court) and Polehampton Old Boys School (which also had an informative plaque).

- 5.16 I left the neighbourhood area along the B3018 (Waltham Road) to Wokingham. This provided me with another indication of the way in which it connected with the strategic road network and with other settlements in the surrounding area.

## 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 and informative document. It is also proportionate to the Plan itself.

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) obligations and European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

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

### *National Planning Policies and Guidance*

6.4 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 July 2021.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Twyford Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and the adopted Core Strategy and the MDD Local Plan;
- 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.

6.6 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.

- 6.7 In addition to the NPPF, I have also taken account of other elements of national planning policy including Planning Practice Guidance and relevant ministerial statements.
- 6.8 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 subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area with a focus on improving the role and function of the village centre. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 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 matter is reinforced in Planning Practice Guidance. 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.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. Many of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan has regard to national policy.

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the way in which the submitted Plan contributes towards sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for the consolidation and regeneration of the village centre (Policies TW4 and TW5). In the social dimension, it includes policies on community facilities (Policies TW17/18/19) and on the railway station (Policy TW3). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on design (Policies TW15/16), air quality (Policy TW6), nature recovery (Policy TW7) and zero carbon buildings (Policy TW10). TPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in Wokingham Borough in paragraphs 5.4 to 5.8 of this report.

- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modification in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

#### *Strategic Environmental Assessment*

- 6.14 The Neighbourhood Planning (General) (Amendment) 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 explaining why an environmental report is not required.
- 6.15 In order to comply with this requirement WBC undertook a screening exercise (August 2022) 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, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.

#### *Habitat Regulations Assessment*

- 6.16 The screening statement also included a separate section on the need for a Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives (either alone or in combination) and taking account of the precautionary principle. On this basis it concludes that Appropriate Assessment is not required.
- 6.17 The HRA report is both thorough and comprehensive. It takes appropriate account of the following protected sites:
- the Thames Basin Heath Special Protection Area (SPA);
  - the Chiltern Beechwoods Special Area of Conservation (SAC);
  - the Windsor Forest and Great Park SAC; and
  - the Thursley, Ash, Pirbright and Chobham SAC

It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.18 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. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of the basic conditions.

#### *Human Rights*

- 6.19 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. In addition, 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. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Summary*

- 6.20 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.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 The modifications 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 modifications 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 neighbourhood area. The wider community and TPC 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 (ID:41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of non- planning matters.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. I address the non-planning matters after the policies.
- 7.6 For clarity this section of the report comments on all the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing modifications to the text of the Plan are set out in italic print.

### *The initial section of the Plan (Sections 1-5)*

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in an effective fashion. It makes good use of well-selected maps. A very clear distinction is made between the policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction addresses the background to neighbourhood planning. It comments about how the Plan has been prepared and how it will be used. Paragraph 1.1 defines the Plan period and the neighbourhood area (in Plan A). It also explains the SEA/HRA process. In the round it is a very effective introduction to a neighbourhood plan.
- 7.10 Section 2 provides a range of information about the neighbourhood area. It also describes major developments taking place both in the Borough and in other locations nearby and their effects on the parish. Key elements of this analysis have underpinned the production of the Plan.
- 7.11 Section 3 comments about the planning policy context within which the Plan has been prepared. It addresses both national and WBC policies. It also comments on the two conservation areas in the neighbourhood area.

- 7.12 Section 4 comments about the community's views on planning matters. It overlaps with the submitted Consultation Statement.
- 7.13 Section 5 sets out a comprehensive Vision for the Plan. The Vision is then underpinned by a structured series of objectives.
- 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 TW1: Encouraging Sustainable Travel

- 7.15 The policy seeks to encourage safe, accessible, convenient, and enjoyable means of walking and cycling in the parish. The Plan identifies an existing Sustainable Travel Network and opportunities for improvements for the purpose of prioritising active travel and encouraging the use of public transport in the Parish.
- 7.16 The policy is both forward-thinking and non-prescriptive. The Network is described in full in the supporting text. The policy meets the basic conditions.

#### Policy TW2: Sustainable Accessibility and Mobility

- 7.17 This policy continues the approach taken in Policy TW1. It has a focus on promoting sustainable access and mobility.
- 7.18 The approach taken in the policy is underpinned by the helpful supporting text. It comments that the emphasis in recent years has been on minimising the need to travel and promoting alternative modes of travel to the private car – 'active travel'. It is recognised however, that some commuters drive to Twyford to access the station leading to cars being parked all day on residential roads. Improvements to the accessibility and quality of the environment at Twyford Railway Station would encourage use of the rail network for longer journeys without compromising traffic flow on local roads. The text also comments that TPC is currently investigating whether there are any opportunities for accommodating sustainable travel needs, such as charging for electric bicycles and cars and secure cycle parking.
- 7.19 In general terms the policy meets the basic conditions. I recommend detailed modifications to the third part of the policy to remove the unnecessary supporting text.

#### **Replace the third part of the policy with:**

**'Proposals for major development should demonstrate through an agreed travel plan, that an appropriate range of measures will be implemented to promote and improve active travel for all users, including people with visual impairments. Where appropriate, the travel plan should include making appropriate contributions to the borough wide My Journey initiative or any successor scheme.'**

#### Policy TW3: Twyford Railway Station

- 7.20 This policy focuses on the railway station. I saw its importance to the village during the visit.

7.21 The policy has three related parts as follows:

- the need for any proposals to be progressed in a co-ordinated way;
- offering support to proposals which would improve accessibility and the quality of the environment at the station; and
- a requirement for any new development which would increase the use of the station to contribute towards accessibility enhancements.

7.22 The policy is underpinned by extensive supporting text which comments about the role of the station and potential measures to secure improvement to its operation and appearance.

7.23 I am satisfied that the approach taken is both appropriate and distinctive. Within this broader context I recommend two modifications. The first repositions the first element of the policy into the supporting text. This acknowledges that its focus is on the process involved rather than a land use policy. The second refines the approach taken in the third part of the policy towards developer contributions. The recommended modification will ensure that the policy can be applied in a proportionate way and so that the contributions would relate directly to the increase in rail use associated with the proposal (rather than any more general increase in rail traffic which may arise for a variety of reasons which would not be directly related to specific new development). Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Delete part A of the policy.**

**Replace part C of the policy with: ‘As appropriate to their scale, nature and location development proposals that would directly generate an increase in journeys to and from the Twyford Railway Station will be required to make appropriate contributions to the cost of measures to improve the accessibility and quality of the environment at the Station.’**

*At the end of paragraph 5.16 add: ‘Development proposals for improvements to Twyford Railway Station should be developed in conjunction with the Borough Council, Great Western Rail, Twyford Parish Council, Network Rail and other interested parties as appropriate, to ensure that enhancements proceed in a co-ordinated fashion.’*

Policy TW4: A Thriving Village Centre

7.24 This policy seeks to consolidate and enhance the role of the village centre. The Plan comments that several retail premises have been lost over the years, notably along the High Street, and it is locally known that this has been due to heavy traffic and narrow pavements. The current centre is concentrated around the Crossroads, with some outlying units on Waltham Road and Station Road. There are two residential homes within the centre and several flats over retail units. The original trading area extended further to the west along High Street, and there were more shops along Station Road.

7.25 In the context of recent changes to shopping behaviour, the Plan seeks to protect the village centre from losing further shops and services. The policy defines the extent of

the existing Village Centre and the Essential Core of the Primary Shopping Area. The policy resists proposals for change of use that would result in the loss of an active commercial, business, or service use of a ground floor frontage in the Village Centre. Where planning permission is still required, the policy comments that evidence will need to be submitted to demonstrate why an existing commercial, business or service use of a ground floor frontage in the Village Centre is no longer viable alongside marketing evidence that shows genuine and sustained efforts to promote, improve and market the property at a reasonable value. The policy also supports proposals that will create livelier and more active street frontages as well as an improved public realm.

7.26 WBC comments that the Village Centre boundary is different to that which is identified in the existing development plan. I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the boundary proposed in the submitted Plan is both appropriate and reflects the most up to date circumstances affecting the Village Centre. In any event I am satisfied that the proposed boundary is in general conformity with the strategic policies in the development plan.

7.27 In the round, the policy takes an appropriate approach to this important matter. I am satisfied that it meets the basic conditions.

#### Policy TW5: Village Centre Regeneration Area

7.28 This policy consolidates the approach taken in Policy TW4. In this case it identifies a Twyford Village Centre Regeneration Area for the purposes of supporting regeneration opportunities that will deliver public realm improvements and traffic mitigation measures that are required to enhance the active travel environment and improve air quality, residential amenity, and highway safety for all users

7.29 The second part of the policy comments that any development proposals that will generate an increase in traffic at the Crossroads will be required to make a direct and proportionate contribution to delivering the Twyford Village Regeneration Scheme.

7.30 The supporting text comments about the way in which TPC is actively working to secure funding from the High Street Regeneration and Social Infrastructure Support Fund through the Neighbourhood Planning Programme, funded by the Department for Levelling Up, Housing and Communities. This will allow the commissioning of high-level option testing to enable a preferred option to deliver the aim of the Twyford Village Centre Regeneration Scheme.

7.31 In the round I am satisfied that the overall ambitions of the policy are appropriate and distinctive to the parish. In addition, it is clear that the policy would operate in a complementary way to the wider ambitions of the Regeneration Scheme. Work is still in progress on the Regeneration Scheme. On this basis I recommend modifications to the supporting text to reflect this situation.

7.32 Otherwise the policy meets the basic conditions. It will assist significantly in the delivery of each of the three dimensions of sustainable development.

Replace paragraph 5.33 with:

*'The Parish Council is actively pursuing options to realise the aim of the Twyford Village Centre Regeneration Area and has recently been successful in securing grant funding from the High Street Regeneration and Social Infrastructure Support Fund through the Neighbourhood Planning Programme, funded by the Department for Levelling Up, Housing and Communities to commission high level option testing that will enable a preferred option to deliver the aim of the Twyford Village Centre Regeneration Scheme. A report was received in January 2023. WBC is supportive of the approach and engagement with WBC on this matter is ongoing. In the meantime, the Plan sets out a vision for the area and shows its extent on the Policies Maps. The policy requires that schemes do not harm the delivery of regeneration opportunities that deliver public realm improvements and traffic mitigation measures in the Twyford Village Centre Regeneration Scheme Area. The policy also seeks additional developer contributions for the Twyford Village Centre Regeneration Scheme where appropriate. If the Twyford Village Regeneration Scheme has not yet been costed and approved by the relevant stakeholders, contributions to deliver public realm improvements and traffic mitigation measures in the Twyford Village Centre Regeneration Area will continue to be sought where appropriate.'*

#### Policy TW6: Improving Air Quality

- 7.33 This policy concentrates on air quality in the village centre. In 2016 the Twyford Village Centre Crossroads was declared an air quality management area (AQMA) by WBC. The Plan comments that there are no currently adopted planning policies regarding air quality specifically and that WBC relies on the adopted Core Strategy Policy CP1 (Sustainable development) that requires development to minimise the emission of pollutants into the wider environment and the existing provisions of the NPPF. In this context, WBC requires Air Quality Assessments to be provided with planning applications submitted within or adjacent to an AQMA.
- 7.34 In this wider context the policy identifies the existence of the AQMA and requires development within, or adjacent to the AQMA, or development where its occupiers are particularly sensitive to air pollution (such as schools, health care establishments or housing for older people) to contribute to the actions and objectives set out in the latest Air Quality Action Plan. TPC considers that the policy is in line with the objectives of the relevant policy in the emerging Local Plan.
- 7.35 The policy seeks to address a particular issue in the parish. It also relates to wider proposals to enhance the village centre. On this basis I am satisfied that it is a distinctive policy within the wider Plan.
- 7.36 Some of the representations contend that the policy is strategic in nature. I do not agree with that contention. The policy refers specifically to a local matter and seeks to address it in a proportionate way within the parish.
- 7.37 I recommend that the element in the first part of the policy about development which is particularly sensitive to air pollution is deleted. Whilst it addresses an important matter, it is one which can be addressed on a case-by-case basis in the development

management process. In addition, as submitted the policy neither defines the scale and nature of such development proposals nor the way in which a policy would be operated on a geographical basis. As such it would not have the precision required by the NPPF and would be difficult for WBC to apply on a consistent basis. I also recommend consequential modifications to the supporting text.

- 7.38 I also recommend detailed modifications to part B of the policy as suggested by WBC. They bring the clarity and precision required by the NPPF rather than altering the fundamental approach taken in the submitted policy.
- 7.39 Finally, I recommend a detailed modification to the wording used in paragraph 5.39. It is not the role of a neighbourhood plan to make subjective comments on national policy.

**In part A of the policy delete ‘or development where its occupiers are particularly sensitive to air pollution (such as schools, health care establishments or housing for older people),’**

**Replace Part B of the policy with:**

**‘Where applicable, development proposals should aim to be at least ‘Air Quality Neutral’ and not cause or contribute to worsening air quality, including in the Twyford Crossroads Air Quality Management Area. Development proposals that would result in a significant increase in air pollution within or adjacent to the Twyford Crossroads Air Quality Management Area will only be supported in exceptional circumstances. This should be demonstrated through an air quality assessment, and if necessary, proposed mitigation measures.’**

*In paragraph 5.36 delete ‘or development where its occupiers are particularly sensitive to air pollution (such as schools, health care establishments or housing for older people)’*

*In paragraph 5.37 delete ‘or development where its occupiers are particularly sensitive to air pollution’*

*In paragraph 5.39 delete ‘unfortunately’*

Policy TW7: Nature Recovery and Climate Change

- 7.40 This policy addresses nature recovery and climate change. It defines the presence of green and blue infrastructure assets in the Parish and comments that they have multiple roles including carbon sinking, flood alleviation and biodiversity net-gain and highlights opportunities for its recovery. The Policies Map shows the full extent of the Network.
- 7.41 The policy is underpinned by the details in the supporting text (and as shown on Plan H).
- 7.42 The policy has been designed to operate in a non-prescriptive way. I recommend a detailed modification to the wording of part C of the policy. Otherwise, it meets the basic conditions.

### **In part C of the policy replace ‘be resisted’ with ‘not be supported’**

#### **Policy TW8: Tree Canopy Cover**

- 7.43 This is an interesting and innovative policy. It comments that except for householder applications, development proposals on sites outside the Village Centre and 0.5 ha or more, are required as a minimum to achieve a future canopy cover of 25% of the site area principally through the retention of existing trees and the planting of new trees. It continues by commenting that where it can be demonstrated that this is impracticable, the use of other green infrastructure (such as green roofs and walls) can be used where they can offer similar benefits to trees. The second part of the policy takes an equivalent approach to locations in the village centre and more generally for smaller sites.
- 7.44 The policy has attracted representations from WBC and the development industry. In general terms they focus on the potential implications of the policy on the density, deliverability, and viability of future development sites.
- 7.45 In its response to the clarification note TPC provided further information on the way in which the policy would be implemented. It also provided information about the way in which a similar approach had been successfully pursued in the Wycombe District Local Plan.
- 7.46 On the balance of the evidence, and subject to recommend modifications, I am satisfied that the policy meets the basic conditions. The recommended modifications address the following matters:
- the need for the policy to acknowledge that its approach will not always be practicable;
  - the need for the policy to draw particular attention to the need for decisions to take account of viability, layout, and design matters; and
  - the need for the supporting text to draw attention to the overlapping requirements of the policy and other requirements for landscaping and open spaces on development sites.
- 7.47 Otherwise the policy meets the basic conditions. It could assist in bringing forward new developments which respond positively to the environment within the village and on the edge of village where it has a close association with the surrounding countryside.

#### **Replace the policy with:**

**‘Development proposals on sites of 0.5 ha or more outside the Village Centre as defined in Policy TW4 and on the Policies Map, should achieve a future canopy cover of 25% of the site area principally through the retention of existing trees and the planting of new trees. Where such an approach would be impracticable for viability, layout or design reasons, the use of other green infrastructure (such as green roofs and walls) should be used where they can offer similar benefits to trees.**

**Development proposals in the Village Centre as defined in Policy TW4 and on the Policies Map, and on sites of less than 0.5 ha, should maximise the opportunities available for canopy cover, including tree retention and planting or the provision of other green infrastructure (such as green roofs and walls).'**

*At the end of paragraph 5.52 add:*

*'The policy has been designed to be applied in a flexible way. In specific terms it acknowledges that issues such as commercial viability, site layouts and design may make the expectations of the policy impracticable on a site-by-site basis. This will be a matter for WBC to consider based in the evidence provided with each development proposal. In addition, matters such as site layout and commercial viability may also be affected where development proposals would also need to provide open space and landscaping to meet other policies.'*

Policy TW9: Carbon Sequestration

- 7.48 This policy requires that all proposals for new buildings, including those that are part of redevelopment schemes, to contribute to carbon sequestration ('sinking') in the neighbourhood area. It applies to all buildings of any land use type as every new building will have a carbon footprint that will need to be mitigated.
- 7.49 The first part of the policy requires schemes of a gross site area of 2ha or more, which would be expected to include a landscape scheme of a reasonable scale, to include woodland planting of a type and long-term management that meets the Woodland Carbon Code standards which include identifying suitable soils eligible for woodland creation. The second part requires smaller schemes, or those that cannot meet the Code on-site, to make a financial contribution to the provision of Code-compliant woodland planting within the Twyford Nature Recovery Network through the Wokingham Borough Carbon Offset Fund.
- 7.50 The policy takes an innovative approach to this matter. In this context WBC makes some detailed comments on its contents and the development industry comments on its applicability and impact on the commercial viability of residential developments.
- 7.51 Paragraph 5.61 of the Plan acknowledges some of the challenges of the policy as follows:

*'The Neighbourhood Plan recognises that the only major development proposals likely to have a gross sites area of more than 2Ha that is likely to come forward in the Parish during the plan period is the proposed allocation of Land at Bridge Farm, as the parish boundary is tightly drawn, and the remaining land is heavily constrained. It is therefore likely that the effect of Clause A of the policy is going to be limited. The Parish Council will continue to engage in the emerging Local Plan process and willingly offers the policy to WBC to help frame a Borough-wide policy in the emerging Local Plan.'*

- 7.52 I have considered the policy very carefully. On the one hand, it takes a positive and an innovative approach to this matter. In a similar way it recognises that its ambitions will not always be achieved on a site-by-site basis. On the other hand, the Plan acknowledges that part A of the policy will have limited effect in the current

circumstances on the delivery of new housing in the parish. In addition, paragraph 5.59 of the Plan indicates that the Wokingham Borough Carbon Offset Fund is yet to be established. The policy is also silent about the potential implications of the policy on commercial viability and the extent to which any offsetting would take place within the parish or elsewhere.

- 7.53 In all the circumstances I recommend the deletion of the policy and the supporting text. In the absence of any local information and evidence to the contrary carbon sequestration is ultimately a strategic matter which will be pursued through the emerging Local Plan and the associated Wokingham Borough Carbon Offset Fund. Once this has been achieved it may be a matter which TPC may wish to address in a review of a 'made' neighbourhood plan in due course.

**Delete the policy.**

*Delete paragraphs 5.54 to 5.61.*

**Policy TW10: Zero Carbon Buildings**

- 7.54 This policy concentrates on building efficiency. The Plan comments that the policy is intended to be a temporary measure as in due course it is expected that the emerging Local Plan and possibly revised national policy will impose higher energy efficiency standards across the Borough
- 7.55 The policy has five parts and is intended to deliver a step change in the energy performance of all new developments in the parish. It encourages and incentivises the use of the Passivhaus or equivalent standard of building design. Along with the passive design capacity assessment, it is anticipated that designers will demonstrate compliance using a design for performance methodology such as the Passivhaus Planning package or CIBSE TM34 Operational Energy. The Plan also comments that achieving this level of performance will make a significant contribution to mitigating climate change.
- 7.56 The approach taken on this matter is both comprehensive and ambitious. As the Plan acknowledges the policy context for encouraging higher energy efficiency standards at a local plan or neighbourhood plan scale is complex.
- 7.57 The policy attracted detailed comments in the consultation exercise from both WBC and the development industry.
- 7.58 I sought TPC's comments on the following matters in the clarification note:
- the extent to which the policy had been assessed against the Written Ministerial Statement (March 2015);
  - the blend of policy and supporting text in the five parts of the policy; and
  - the extent to which the effects of the policy on commercial viability had been tested.

7.59 TPC responded as follow:

*'Many of the concerns raised indicates a misunderstanding of the policy's intent and operation. The level of testing recommended by WBC would only be necessary if the policy set an energy efficiency standard. The policy does not set an energy efficiency standard. Applicants can continue to choose to bring forward schemes of any standard within existing standards, including schemes which are capable of achieving the Future Homes Standard and/or Future Buildings Standards (or any equivalent standard). This is because Clause B of Policy TW10 recognises that it may not be feasible for all schemes to meet a space heating demand of less than 15KWh/m2/year and paragraph 5.65 of its supporting text places no greater onus on applicants other than to acknowledge that in the application.'*

*The policy does however, incentivise the Passivhaus, or any other equivalent standard which will deliver a space heating demand of less than 15KWh/m2/year. It does so in the first instance in Clause B of Policy TW10 by recognising that there may be occasions where choosing to deliver to a higher energy efficiency standard may lead to circumstances where trade-offs need to be made between this objective and local design policy. It therefore provides some degree of flexibility in meeting the Twyford Design Guidelines and Code but only where schemes choose the Passivhaus, or equivalent standard. The flexibility provided in the policy will not apply to schemes which have not chosen the Passivhaus, or equivalent standard.'*

*The second incentive is Clause C which operates where the developer cannot or chooses not to use the Passivhaus, or equivalent standard. Paragraph 7 of Appendix A in the Plan highlights the widely accepted performance gap. A performance gap is where the actual energy use of a building, as built, does not match the predicted heating energy demand. It is not considered unreasonable to require evidence that demonstrates a building is performing as expected, particularly when also considering the cost-of-living crisis and vulnerability to fuel poverty. WBC's existing requirement of predicted energy demand does not address the performance gap issue.'*

7.60 I have considered these various approaches to the policy very carefully. In doing so, I have taken account of national and local policies on this matter.

7.61 National policy is set out in the NPPF. Paragraph 153 of the NPPF sets the scene in commenting that plans should take a proactive approach to mitigating and adapting to climate change. Paragraph 155 continues by commenting that (amongst other things) that plans should help increase the use and supply of renewable and low carbon energy and heat, by providing a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts).

7.62 Planning Practice Guidance (PPG) considers these matters in further detail. PPG ID:6-009-20150327 comments that: *'The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building's sustainability to do so in a way consistent with the government's zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on*

*robust and credible evidence and pay careful attention to viability. In this respect, planning authorities will need to take account of government decisions on the Housing Standards Review when considering a local requirement relating to new homes. If considering policies on local requirements for the sustainability of other buildings, local planning authorities will wish to consider if there are nationally described standards and the impact on viability of development.'*

- 7.63 PPG ID:6-012-20190315 comments that: *'The Planning and Energy Act 2008 allows local planning authorities to set energy efficiency standards in their development plan policies that exceed the energy efficiency requirements of the building regulations. Such policies must not be inconsistent with relevant national policies for England. Section 43 of the Deregulation Act 2015 would amend this provision, but is not yet in force. The Written Ministerial Statement on Plan Making dated 25 March 2015 clarified the use of plan policies and conditions on energy performance standards for new housing developments. The statement sets out the government's expectation that such policies should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes (this is approximately 20% above current Building Regulations across the build mix).'*
- 7.64 Local policies on this matter are relatively undeveloped due to the dated nature of the planning policy context in the Borough. Policy CC04 of the MDD Local Plan is general in nature and refers to the dated Code for Sustainable Homes. Whilst the Sustainable Design and Construction Supplementary Planning Document adds value to the Local Plan policy the date of its publication limits its applicability.
- 7.65 Taking account of all the information, I recommend modifications to the policy to ensure that it meets the basic conditions. The recommended modifications are underpinned by four key and related factors.
- 7.66 The first is that an independent examiner's role is to assess a neighbourhood plan against the basic conditions. Whilst it is widely anticipated that the national policies about the energy efficiency of new houses will change within the Plan period, it is not my role to seek to anticipate the details of that future approach. This would ultimately be a matter for any potential future review of a 'made' Plan to address. In a similar way the dated nature of Policy CC04 is not in itself a sufficient justification to develop a policy in a neighbourhood plan which fails to meet the basic conditions.
- 7.67 The second is that the Written Ministerial Statement of March 2015 continues as an element of government policy. Whilst I have taken account of TPC's responses to the clarification note, I have concluded that to all intents and purposes the policy requires Passivhaus technology. Whilst this is proposed in the context of where such an approach is 'feasible', the policy does not offer any definitive guidance on how feasibility would be assessed beyond the commentary in paragraph 5.65 that an applicant must demonstrate those factors which would make the delivery of Passivhaus technology unfeasible. The effect of such an approach would be that WBC and the developer concerned would need to engage in a detailed technical debate on this point. This would be both onerous and time-consuming. In the round, I have concluded that the policy's approach is contrary to the Written Ministerial Statement.

In any event such excellent technology may be overtaken by other similar approaches to building efficiency which come forward within the Plan period.

- 7.68 The third is that TPC has offered no direct evidence or assurance regarding the effect of the policy on new development in the parish. Its reference to viability in paragraph 5.66 of the Plan is to general, rather than to specific, local information. In addition, whilst I have noted TPC's comments that *'it is now clear that the additional costs of building to a zero-carbon standard are within the margin of build costs. It appears that many developers and housebuilders are 'pricing in' the need to meet such standards within the next five years anticipating that Government will need to make national requirements as part of its climate change obligations'* there is no evidence available to me on this matter including any details from specific developers.
- 7.69 The fourth and final key factor is that the policy as submitted includes a series of elements which explain the proposed operation of the policy rather than being policy (Parts C/D/E).
- 7.70 Taking account of all these circumstances, I recommend a package of modifications to both the policy and to the supporting text. The recommended modifications to the submitted policy would result in a situation where the neighbourhood plan would offer a supportive context for development proposals in the parish to achieve more sustainable solutions than those required by national policy rather than requiring this to be the case.
- 7.71 In specific terms, I recommend that the first two parts of the policy are modified so that they take on a less prescriptive format which has regard to national policy. In this context it is appropriate for a neighbourhood plan policy to offer support for carbon ready/Passivhaus buildings as opposed to requiring this to be the case.
- 7.72 In this context I recommend the deletion of parts C and E of the policy which would no longer apply to the wider policy. I also recommend a modification to the wording of Part D of the policy so that it more generally explains its requirements.
- 7.73 I also recommend a consequential package of modifications to the supporting text. In all the circumstances I recommend the deletion of appendices A and B from the Plan.

**Replace the policy with:**

**'Development proposals which would be 'zero carbon ready' by design by minimising the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping will be supported. Consideration should be given to resource efficiency at the outset and whether existing buildings can be re-used as part of the scheme to capture their embodied carbon.**

**Proposals for a Passivhaus or equivalent standard buildings, with a space heating demand of less than 15KWh/m<sup>2</sup>/year will be supported. Schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are**

different to those of the character area within which the proposal is located will be supported, provided it can be demonstrated that the scheme will not have an unacceptable effect on the character area.

**Proposals for major development should be accompanied by a Whole-Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions have been taken to reduce embodied carbon resulting from the construction and use of the building over its life.'**

*Delete Appendices A and B.*

*Replace paragraphs 5.63 to 5.71 with:*

*'Policy TW10 of this Plan will result in a situation where the neighbourhood plan would offer a supportive context for development proposals in the parish to achieve more sustainable solutions than those required by national policy. Plainly the wider situation may be affected by changes to national or local planning policies on these matters in the Plan period.*

*The policy offers support for the development of zero carbon ready buildings. It also offers support for buildings which are designed to Passivhaus or equivalent standards.*

*The third part of policy comments that proposals for major development should be accompanied by a Whole-Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions have been taken to reduce embodied carbon resulting from the construction and use of the building over its life. This will ensure that development proposals are implemented as intended.'*

Policy TW11: Water Infrastructure and Flood Risk

- 7.74 This policy concentrates on water infrastructure and flood risk. The Plan advises that the River Loddon runs through the west side of Twyford and approximately a quarter of land in the parish lies within a flood risk area. It also comments that the WBC Water Cycle Study – Phase 1 Scoping Study (2019) identifies that the Borough is classified as an area of serious water stress and justifies the higher optional standard for water efficiency of 110 litres per person per day. Given these characteristics, the policy serves several purposes.
- 7.75 The policy addresses these matters in a comprehensive way. It meets the basic conditions.

Policy TW12: New Homes - Tenure and Mix

- 7.76 This policy sets out a comprehensive approach to the tenure and mix of new homes. It is underpinned by detailed supporting text.
- 7.77 The first part of the policy makes provision for First Homes and requires a specific tenure mix for affordable housing provision on qualifying sites as recommended by the Twyford Neighbourhood Plan Housing Needs Assessment (HNA). The policy adopts

the flexible approach in the emerging Local Plan to use the evidence in the HNA as a starting point for affordable housing tenure split allowing for flexibility where there are site specific issues. The second part of the policy requires this weighting towards smaller 1–3-bedroom dwellings whilst acknowledging that it is important not to exclude certain dwelling types. The third part of the policy encourages landowners and their future development partners to consider the strong desire by the Parish Council to see a proportion of new homes through community led schemes involving housing, small business units and other appropriate community uses, which may involve a community led housing model such as a Community Land trust, or equivalent body.

- 7.78 In general terms the policy takes a positive and locally-distinctive approach to this matter. It is also clear that the policy has been refined to take account of responses to the pre-submission consultation process.
- 7.79 I recommend modifications to the format of part A of the policy so that it is both simpler and brings the clarity and precision required by the NPPF.
- 7.80 I recommend that part C of the policy is deleted and repositioned into the supporting text. This reflects that its purpose is to encourage a particular approach towards a community-led housing model rather than operating as a land use policy. This is largely acknowledged in the wording of paragraph 5.80 of the Plan.

**Replace part A of the policy with:**

**‘In general terms development proposals for new housing should provide affordable housing on the following basis:**

- **25% First Homes;**
- **12% shared ownership;**
- **8% rent to buy; and**
- **55% affordable housing for rent.**

**The precise tenure mix of affordable housing will be determined on a site-by-site basis.’**

**Delete part C of the policy.**

*Replace paragraph 5.80 with: ‘The Plan encourages developers to consider delivering some of the affordable housing element through a Community Led Housing model. The Parish Council is keen to see a proportion of new homes come forward through community-led schemes involving housing, small business units and other appropriate community uses, which may involve a community led housing model such as a Community Land trust, or equivalent body. There is strong local community support for such an approach and the Parish Council is actively investigating this delivery model.’*

**Policy TW13: First Homes**

- 7.81 This policy comments about First Homes. It proposes that the discount should be 50% rather than the nationally-prescribed figure of 30%. In coming to this conclusion TPC has relied on information in the submitted HNA (October 2022).

7.82 The approach in the policy has attracted representations from WBC, David Wilson Homes and Croudace Homes.

7.83 The HNA comments on a wide range of housing, tenure, and affordability issues to good effect. The Assessment is up-to-date. Its principal findings on affordability and its relationship to First Homes are as follows:

*'This report has estimated the income required to afford First Homes and tested the implications of 30%, 40% and 50% discount levels. In the case of Twyford it could be argued that local circumstances would permit the threshold to be set at 50% discount; this is due to the discounts of 30% and 40% being largely considered unaffordable for those earning the average (mean) household income of £72,600 and the additional likelihood that First Homes at lower discounts in Twyford would not fall beneath the price and income caps (see Appendix A). (Paragraph 81)*

*It remains clear that 50% discount is the most appropriate from an affordability perspective. It is worth noting that higher discounts may have implications on development viability and the overall amount of Affordable Housing that developers are able to deliver. This risk should be discussed with the Local Authority if the Neighbourhood Plan is to include policy provisions on this topic. (Paragraph 82)'*

7.84 The Plan does not directly provide evidence on the viability of a 50% discount on First Homes. Instead, paragraph 5.82 comments that:

*'It is not considered that viability will be an issue when land values are high. Whilst the Affordable Housing Viability Study for WBC in June 2008 was undertaken prior to the introduction of the First Homes product, its analysis does suggest that the rural parts of Wokingham, which includes Twyford, may be able to sustain higher affordable housing requirements than in the urban areas, due largely to higher values for market units.'*

7.85 I have considered this matter very carefully. Plainly, there is an affordability issue in the parish and the delivery of First Homes could assist in providing wider access to housing for residents in the parish. On the one hand, the policy and the HNA provide a compelling case for a higher discount based on affordability. On the other hand, the policy is less compelling on the potential impact of a higher discount on viability. This is highlighted in two ways. The first is that the policy itself indicates that the 50% discount will be applied where such an approach is viable. This does not provide any certainty on how this test would be applied. The second is that the contents of paragraph 5.82 rely on the Affordable Housing Viability Study produced by WBC in 2008. Plainly that information is dated and was produced well in advance of the rollout of the First Homes agenda.

7.86 In all the circumstances, I am not convinced that the policy approach is sufficiently robust so that it could be delivered with certainty and clarity through the development management process throughout the Plan period. In specific terms, the policy provides no mechanism or guidance about the way in which discounts would be applied on viability grounds throughout the Plan period. This is important both in its own right and

given the matter-of-fact approach taken in PPG on both the levels of discount and the way in which they would be applied thereafter as follows:

*'In such circumstances, the minimum discount level should be fixed at either 40% or 50% below market value and should not be set at any other value. In each case, these percentages represent the minimum discount required for a home to qualify as a First Home. Developers who are able to offer higher discounts within their contributions should be free to do so but the local authority cannot require this. In such cases, whatever discount (as a percentage of market value) is given at the first disposal should be the same at each subsequent sale. These minimum discounts should apply to the entire local plan area (except if Neighbourhood Plans are in place in certain areas) and should not be changed on a site-by-site basis.'* (Planning Practice Guidance ID: 70-004-20210524)

- 7.87 Taking account of all the information available to me I recommend that the policy and the supporting text are deleted. Plainly the national approach towards First Homes remains unaffected by this recommended modification.
- 7.88 I acknowledge that this approach will be a disappointment to TPC. However, the opportunity exists to address the matter in further detail in any review of a made neighbourhood plan in due course. This may occur once the broader position on First Homes in the Borough becomes clearer as the emerging Local Plan progresses and as WBC revises and updates its Interim Policy Statement on First Homes (produced in January 2022).

#### **Delete the policy.**

*Delete paragraphs 5.81 and 5.82.*

#### **Policy TW14: First Homes Exception Sites**

- 7.89 This policy comments about proposals for First Homes which would represent exception sites. It is underpinned by evidence and commentary in the supporting text.
- 7.90 In the round, I am satisfied that the policy meets the basic conditions. It will assist in delivering new homes to meet local needs.

#### **Policy TW15: Design Codes**

- 7.91 This policy has a clear focus on design. It is underpinned by the excellent Design Guidelines and Codes. In the round the policy is a first-class local response to Section 12 of the NPPF.
- 7.92 The policy requires that applicants should demonstrate that they have regard to the Design Guidelines and Codes as relevant to the location of their proposals. It does not advocate pastiche or historic solution. Nevertheless, it highlights the importance of ensuring that any new development demonstrates a connection with local character and place making.
- 7.93 In general terms the policy meets the basic conditions. I recommend detailed modifications to the policy to ensure that it has the clarity and precision required by the

NPPF. The recommended modification to the opening element of the policy shifts its focus to the requirements on the applicant and the need for proposals to respond positively to the information in the Design Guidelines and Codes. Otherwise, the policy meets the basic conditions.

**Replace the opening element of Part A of the policy with: ‘Development proposals should demonstrate the way in which they have responded positively to:’**

**In i replace ‘essential’ with ‘the essential’**

**In ii replace ‘General’ with ‘the general’**

**In Part B of the policy replace ‘shall’ with ‘should’**

Policy TW16: Buildings of Traditional Local Character

- 7.94 This policy comments that development proposals affecting non-designated heritage assets, which include buildings of traditional local character, may be supported where they can demonstrate how they will sustain or enhance their significance or how the public benefits outweigh any identified harm to their significance. The supporting text explains that the Design Code had anticipated identifying specific buildings, but this aspect had not been pursued.
- 7.95 The policy takes an appropriate approach which has regards to paragraph 203 of the NPPF. In this context I recommend that the policy identifies the way in which any application will be assessed rather than (albeit loosely with the use of ‘may’) the outcome of such proposals.

**Replace ‘may be supported where they can’ with ‘should’**

Policy TW17: Twyford Community Hub

- 7.96 This is an exciting policy. It comments that the development of the Old Polehampton Boys School, as shown on the Policies Map, to deliver a new Twyford Community Hub will be supported. The second part of the policy comments that, where appropriate, development proposals will be required to make financial contributions towards the delivery of the new Twyford Community Hub.
- 7.97 The policy supports an initiative which already has planning permission. As such I recommend the deletion of the reference to that application in the policy itself. I also recommend a modification to part B of the policy to bring clarity to the types of proposals which will be expected to provide contributions to the development of the community hub. Such an approach would have regard to national policy on developer contributions. Otherwise, the policy meets the basic conditions. It will assist in the delivery of the social dimension of sustainable development. In addition, the restoration of the building will help to secure its long-term future.

**In part A of the policy delete ‘in accordance....201022’**

**Replace part B of the policy with: ‘Development proposals within the neighbourhood area which would increase the demand for community facilities will be required to make financial contributions towards the delivery of the new Twyford Community Hub.’**

Policy TW18: Community Facilities

- 7.98 The policy identifies community facilities (buildings and land) in the Parish that will be protected from a change of use in line with Core Strategy Policy CP3 General Principles for Development and refines the emerging local plan Policy HC2 Community Infrastructure by encouraging proposals to enable the facilities to remain viable community assets.
- 7.99 The policy takes account of potentially changing circumstances in the Plan period, including commercial viability issues. The policy also takes the opportunity to support proposals for extending existing community facilities providing such schemes are consistent with other relevant policies of the development plan.
- 7.100 The policy has been well-considered. I recommend modifications to Part B of the policy so that it more properly responds to paragraph 3.85 of the MDD Local Plan. Otherwise, it meets the basic conditions.

**Replace part B of the policy with:**

**‘In addition to the provisions of relevant Local Plan policies which safeguard community facilities from unnecessary loss, proposals to change the established use of a facility and ancillary land must demonstrate that the use is no longer viable (through the production of evidence that genuine and sustained efforts to promote, improve and market the facility at a reasonable value have been undertaken) or that the use can be satisfactorily re-located for the benefit of the local community.’**

Policy TW19: Early Years Provision

- 7.101 The policy has been designed to protect early years provision uses from unnecessary loss. It identifies four such facilities. The supporting text comments that primary schools in Twyford offer early years provision uses in the form of preschools, which are not attached, managed, or funded by the respective schools. The Starlings Children’s Centre offer some early years provision and the Cedar Park Day Nursery and Preschool facility is the only nursery in the Parish.
- 7.102 The policy takes an appropriate approach to this matter. I recommend a detailed modification to its wording to bring the clarity and precision required by the NPPF. Otherwise, it meets the basic conditions.

**Replace ‘provided’ with ‘where’**

Other matters – housing sites proposed by developers

- 7.103 In their representations to the Plan developers propose sites in the neighbourhood area for housing development as follows:

- David Wilson Homes (Land north of Bridge Farm);
- Croudace Homes (Land at Bridge Farm); and
- Berkeley Strategic Land Limited (Castle End Gardens)

- 7.104 My role is to examine the submitted Plan on its merits rather than to examine an alternative Plan. This reflects national policy and advice. It also takes account of the ability for a qualifying body (here TPC) to include whatever matters it sees fit within a neighbourhood plan.
- 7.105 During the examination process WBC has resolved to grant planning permission for the development of up to 200 new homes at Bridge Farm (planning application 212720). This will provide a significant opportunity for the development of new homes in the Plan period.
- 7.106 TPC sets out its position on future housing development in paragraph 3.9 of the Plan. Whilst acknowledging the requirement for housing development the Plan comments that given that the emerging Local Plan proposes to make allocations in the Parish, and given the number of constraints on the remaining land within the parish boundary it does not make any housing allocations and has focused its attention in preparing other development management policies.
- 7.107 In the round I am satisfied that this approach is appropriate. The approach has now been consolidated by WBC's resolution to grant permission for the Bridge Farm development. Nevertheless, I recommend that these issues are more fully captured in the supporting text in the Plan which refers to delivery, implementation, and monitoring, and review.

#### Monitoring and Review of the Plan

- 7.108 Section 6 of the Plan comments about its implementation. However, the Plan only briefly addresses the potential for its review in due course (in paragraph 3.9 in relation to the role expected to be played by the emerging Local Plan in addressing new housing growth in both the wider Borough and the parish).
- 7.109 In the same way that there is no need for a parish council to prepare a neighbourhood plan, there is no need for a parish council to review a made plan. However, in the circumstances presented in this Plan, and given TPC's express view that the emerging Local Plan, or the Bridge Farm planning application (212720), will address the requirement for housing development in the Parish I recommend that the matter is captured in the Plan in a more explicit way and which highlights the importance of the emerging Local Plan.

*At the end of Section 6 add:*

#### *'Monitoring and Review*

*The Parish Council will monitor the effectiveness of the policies in the Plan through the development management process. Where necessary it will engage with the Borough Council to understand decisions made on planning applications or planning appeals.*

*The success or otherwise of the policies will feed into the assessment of the need for a review of the Plan (paragraph 6.5).*

*The Parish Council will also assess the need or otherwise for a full or a partial review of a made Plan throughout the Plan period. Such assessments will be made:*

- *within two years of the making of the Plan;*
- *within six months of the adoption of the emerging Local Plan;*
- *if changes to national policy are so significant that they make the policies in the Plan ineffective or out of date; and*
- *at the end of the Plan period.'*

#### Other Non-Planning Matters

7.110 Section 7 of the Plan highlights a series of non-land use matters. They are issues which have naturally arisen during the plan-preparation stage. They are included in a separate part of the Plan as advised by national policy. The various matters are both appropriate and distinctive to the parish. In summary they are as follows:

- Renewable energy and waste management;
- Traffic management;
- The use of Stanlake Bridge;
- HGV routes;
- Relocating traffic queues in High Street;
- London Road shopping area;
- Parking for rail users at the railway station; and
- Influencing Driver Awareness.

#### Other matters - General

7.111 This report has recommended a series of modifications both to the policies and to the 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 WBC and TPC 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 2038. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the Twyford 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 Wokingham Borough Council that subject to the incorporation of the modifications set out in this report the Twyford Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the designated neighbourhood area. In my view, that 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 Wokingham Borough Council on 6 August 2018.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**21 March 2023**