

TITLE	Shinfield Neighbourhood Plan
FOR CONSIDERATION BY	The Executive on 30 July 2015
WARD	Shinfield North and Shinfield South
DIRECTOR	Heather Thwaites, Director of Environment
LEAD MEMBER	Councillor John Kaiser, Executive Member Planning and Highways

OUTCOME / BENEFITS TO THE COMMUNITY

To continue to support Shinfield Parish Council in their neighbourhood planning efforts.

RECOMMENDATION

That the Executive:

- 1) approve the comments outlined in this report; and
- 2) that the comments be submitted to Shinfield Parish Council as a formal objection to their consultation on the Pre-Submission Shinfield Neighbourhood Plan.

SUMMARY OF REPORT

The Shinfield Neighbourhood Plan once adopted will be part of the Development Plan and therefore carry significant weight in the determination of planning applications in or affecting Shinfield Parish. The plan contains policies on housing, transport and access, the natural environment, community and recreation, and business and commercial development. Most of the policies are in general conformity with the strategic policies contained in Wokingham Borough's Development Plan and have had regard to national policies.

The key issues the Council is objecting to are :

Supporting Text Policy 4

The supporting text for Policy 4 contains assumptions and statistics which are not supported by robust evidence and provide a misleading context for Policy 5: Parking Provision.

Policy 5

Parking Provision is not considered to be in general conformity with Wokingham Borough's strategic borough-wide parking policy. In addition, some of the evidence used in the Neighbourhood Plan's transport and access and parking sections of the plan is not considered robust.

The Council therefore considers that the Pre-Submission document does not accord with the neighbourhood planning regulations which require general conformity with the strategic policies in the Development Plan ([Paragraph 8 \(1\) \(a\) \(2\) of Schedule 4B to the Town and Country Planning Act 1990 \(inserted by the Localism Act 2011\)](#)).

Background

Neighbourhood Planning

The Localism Act 2011 and associated regulations introduced neighbourhood planning, which gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area through the production of Neighbourhood Development Plans. The key stages in producing a neighbourhood plan are:

- 1) Designating a neighbourhood area
- 2) Preparing a draft neighbourhood plan
- 3) Pre-submission publicity & consultation
- 4) Submission of a neighbourhood plan to the local planning authority
- 5) Independent examination
- 6) Referendum
- 7) Bringing the neighbourhood plan into force

Shinfield Parish Neighbourhood Plan

Shinfield Parish began work on producing a neighbourhood plan shortly after being designated a neighbourhood area by the Council in October 2012. The parish council have since prepared a draft neighbourhood plan and are now undertaking the necessary six week consultation on their pre-submission draft plan.

Next Steps

Following the pre-submission consultation, the Parish Council will consider the consultation responses and amend the plan if appropriate. The next step will be to submit the plan to the Council. If approved by the Executive, the Council will then publicise the draft plan and invite representations for a minimum regulatory six weeks and appoint an independent examiner. The Council will send the draft plan and all representations to the examiner who will issue a report to WBC and Shinfield Parish Council. At this point, the Council will consider the recommendations in the report and decide what actions to take in response to each. The Council must also come to a formal view about whether the draft plan meets the basic conditions set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.](#)

The basic conditions are:

- a. That it has regard to national policies and advice;
- b. That it contributes to the achievement of sustainable development;
- c. That it is in general conformity with the strategic policies in the local Development Plan;
- d. That it is compatible with EU obligations; and
- e. That it is not likely to have a significant effect on a European site or a European offshore marine site.

If the Council is satisfied that the draft plan satisfies the criteria below, a referendum on the plan must be held where this reflects the advice of the Examiner.

- That it meets the basic conditions;
- That it is compatible with EU obligations; and

- That it complies with the definition of a neighbourhood development plan and the provisions that can be made by a neighbourhood development plan.

Council Review of Shinfield Neighbourhood Plan

The Council's officers have provided support to the neighbourhood plan steering committee throughout this process. The steering committee informally submitted a draft of the plan to the Council for review earlier this year. The plan was reviewed by officers from Land Use and Transport, Development Management, Development Delivery, Highways, Flooding, Countryside, Biodiversity, Leisure, Community Facilities, and Sustainability and Economic Development. Comments were then provided to the neighbourhood plan steering committee, most of which were addressed.

The Council then arranged and paid for (with Department for Communities and Local Government neighbourhood planning grant funds) the plan to undergo a 'healthcheck', which is essentially a light touch review to determine whether a draft plan would pass examination. The [examiner's report](#) (provided as part of the 'healthcheck') contained a number of relatively minor recommendations, which are now reflected in the plan. The report included one major recommendation which was to "*delete the new parking policy in preference for a statement that the Neighbourhood Plan complies with the development plan in this respect*". The steering committee decided not to remove the parking policy as they consider the local context provides justification for the policy.

Analysis of Issues

The Shinfield Parish Draft Neighbourhood Plan contains a range of policies designed to address issues within Shinfield Parish. The plan contains background information and policies on housing, transport and access, the natural environment, community and recreation, and business and commercial development. The policies should be in general conformity with the strategic policies in the Wokingham Borough Development Plan but may add more locally specific detail.

It is important for Wokingham Borough Council to provide comments to Shinfield Parish Council at this stage as it is the last opportunity for the Parish to make changes to the plan prior to submission to the Council and the plan's final formal consultation. The Council's response is a formal objection to the plan, with recommended changes contained within the appendix. The objection and recommended changes will be forwarded to the Parish Council on 31 July 2015, if approved. Most of the changes are minor, with the exception of those in the Transport and Access section.

The supporting text for *Policy 4: Accessibility and Highways Safety* and the parking provision and wording of *Policy 5: Parking Provision* is not considered to be in general conformity with the Council's policies and guidance. The Council considers that the proposed neighbourhood plan would undermine the Council's adopted parking policies and guidance should the neighbourhood plan be adopted. Specifically:

- The proposed parking policy would calculate parking provision differently than WBC policy which would sometimes result in a higher parking provision and other times a lower parking provision. The Council's parking policies are contained within the MDD and are based on the evidence and research presented in the Parking Standards Study Report 2011. The Council considers the standards to be strategic and based on robust evidence. It is considered that

the proposed parking standards in the neighbourhood plan would undermine the borough-wide standards and that they are not based on robust evidence.

- It is considered that the supporting text for Policy 4 contains misleading statistics and evidence that is not robust. Paragraph 13.6 states that the 2011 Census car ownership rate is 1.6 vehicles per household in Wokingham Borough and 1.637 in Shinfield Parish. Paragraph 14.5 then states that the parking provision for Shinfield Parish should be higher than the Borough-wide standards due to the higher car ownership rate in the parish. A difference of 0.037 is not considered significant enough to justify a higher parking provision. Additionally, paragraph 13.9 discusses research undertaken by the Arborfield Residents' Association measuring peak hour residential trip rates in Arborfield, which the Council does not consider to be robust.

The recommended changes therefore seek to align the proposed policies in the draft neighbourhood plan with the Council's adopted policies and guidance.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	nil	nil	nil
Next Financial Year (Year 2)	nil	nil	nil
Following Financial Year (Year 3)	nil	nil	nil

Other financial information relevant to the Recommendation/Decision

None anticipated.

Cross-Council Implications

The Shinfield Parish Neighbourhood Plan, if adopted, will be used to determine planning applications within Shinfield Parish.

List of Background Papers

[Shinfield Parish Draft Neighbourhood Plan](#)
[Final Determination Statement that Shinfield Neighbourhood Plan does not need a Strategic Environment Assessment](#)
[Shinfield Neighbourhood Plan Healthcheck Report](#)

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Date 17 July 2015	Version No. 1