

# Agenda Item IMD15

## INDIVIDUAL EXECUTIVE MEMBER DECISION

REFERENCE IMD: IMD 2022/15

<b>TITLE</b>	Wokingham Borough Council Response to the Finchampstead Draft Neighbourhood Plan Consultation
<b>DECISION TO BE MADE BY</b>	Executive Member for Planning and Local Plan - Lindsay Ferris
<b>DATE, MEETING ROOM and TIME</b>	15 November 2022 FF11 at 11:30am
<b>WARD</b>	Finchampstead North; Finchampstead South; Wokingham Without;
<b>DIRECTOR / KEY OFFICER</b>	Director, Place and Growth - Steve Moore

### **PURPOSE OF REPORT (Inc Strategic Outcomes)**

To agree Wokingham Borough Council's formal response to the Finchampstead draft Neighbourhood Plan (Regulation 16) consultation.

### **RECOMMENDATION**

That the Executive Member for Planning and Local Plan agrees that Wokingham Borough Council submits the comments contained in Enclosure 1 as this Council's response to the Finchampstead Neighbourhood Plan Draft Submission Plan.

### **SUMMARY OF REPORT**

Neighbourhood development plans (commonly referred to as neighbourhood plans) allow communities to help shape how development is managed in their area and work alongside strategic planning policies set out in the council's local plans.

Neighbourhood plans can set out more detailed policies and can also choose to allocate sites for development, however neighbourhood plans should not promote less development than set out in the strategic policies for the area, nor undermine those strategic policies<sup>1</sup>.

Finchampstead Parish Council has prepared a neighbourhood plan covering their parish. The parish council has consulted residents and other interested parties on the scope and content of the plan.

The parish council submitted the neighbourhood plan and supporting information to the council in August 2022. Executive agreed, on 29 September 2022, that the neighbourhood plan could progress to consultation<sup>2</sup>. In line with the regulations governing the neighbourhood plan process, the council has publicised the plan for six

<sup>1</sup> National Planning Policy Framework (NPPF) (2021), paragraph 29

<sup>2</sup> Finchampstead Neighbourhood Development Plan – Regulation 16 Consultation and Future Examination, Examination Executive report, available at:

<https://wokingham.moderngov.co.uk/ieDecisionDetails.aspx?AllId=35700>

weeks and invited representations on the plan's content. Consultation began on Wednesday 12<sup>th</sup> October 2022 and ends Wednesday 23<sup>rd</sup> November 2022.

In the same way as any other stakeholder, the consultation provides the council the opportunity to consider the plan and submit representations. As set out in the recommendations to the Executive report, the council's comments would be agreed through the Individual Executive Member Decision process, which is the purpose of this report.

The Finchampstead Neighbourhood Plan contains a number of policies on issues including housing; settlement separation; the natural and historic environment; retail facilities; business and commercial development; transport; and design. The submission draft Plan proposes to allocate two sites for development comprising a total of 4 dwellings. It also proposes to allocate areas of land as Local Green Space, which if accepted would protect them from inappropriate forms of development.

In line with best practice, officers have regularly engaged with the parish council during the plan making process. Matters raised by officers have generally been addressed but there remain a few issues where it is recommended the council responds to the consultation, to bring them to the examiner's attention and consideration.

The primary focus of the recommended response is to record the council's support for the plan seeking to allocate land for residential development and acknowledge that the indicative housing requirement for the parish will be met in full.

Representations are also recommended regarding Policy IRS1: 'Protection and enhancement of Local Green Spaces' which seeks to designate 13 areas of land as Local Green Space (LGS). The council does not consider that four of these proposed LGS are sufficiently justified in their current form. It is recommended the remaining nine areas are supported.

Further representations are recommended regarding Policy IRS3: 'Conservation and enhancement of the historic character of the area'. Additional information and evidence would be needed to justify the classification of locally valued heritage assets as sought by the policy.

Additionally, representations are recommended regarding Policy ES1: 'Environmental standards for residential development'. This policy seeks to introduce requirements of developments at different scales, part of which has now been superseded by updates to building regulations and therefore no longer reflects best practice. Other minor modifications are recommended to assist clarity.

Finally, minor modifications are recommended to policies GS1, GA2 and Chapter 5 – Appropriate Housing Development. Policy GS1 seeks to designate a Green Gap, Green Wedge, and two further important areas of separation within the parish in order to introduce additional measures to prevent the coalescence of settlements and other built up areas.

The full recommended response is set out in Enclosure 1 to this report.

## Background

Neighbourhood development plans, more commonly referred to simply as neighbourhood plans, allow communities to help shape how development is managed in their area. Neighbourhood plans work alongside strategic planning policy set out in the council's local plans. They can set out more detailed policies for their area. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.

Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies<sup>3</sup>.

Where a community wants to take up the opportunities offered by neighbourhood plan, legislation enables two types of organisations to lead it:

- a parish or town council; or
- a neighbourhood forum.

## Finchampstead Neighbourhood Plan

Finchampstead Parish Council has prepared a neighbourhood plan covering their parish. The parish council has worked with other members of the community who are interested or affected by the plan.

The parish council has consulted residents and other interested parties on the scope and content of the neighbourhood plan. Consultation methods and community engagement activities used when preparing the plan include (but were not limited to) a survey questionnaire to residents, public meetings, information in parish newsletters distributed to all households in Finchampstead parish, social media campaign, a dedicated Finchampstead Neighbourhood Plan newsletter, and dedicated page on the Finchampstead Parish Council website. Further information is contained in the Consultation Statement supporting the submitted Ruscombe Neighbourhood Plan.<sup>4</sup>

Having prepared its neighbourhood plan, the parish submitted the Plan with supporting information to Wokingham Borough Council in August 2022. Under the regulations governing the preparation of neighbourhood plans, the council is required to publicise the plan for a minimum of 6 weeks and invite representations to be made. On 29 September 2022, Executive agreed that the neighbourhood plan could progress to consultation. Consultation began on Wednesday 12 October and ends Wednesday 23 November 2022.

The consultation provides the council, with the opportunity to make representation on the neighbourhood plan's content, including supporting or objecting to any specific policies or proposals. As set out in the recommendations to the 29 September 2022 Executive report, any comments are to be agreed through the Individual Executive Member Decision process, which is the purpose of this report.

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<sup>3</sup> National Planning Policy Framework (NPPF) (2021), paragraph 29

<sup>4</sup> Finchampstead Neighbourhood Plan – Consultation Statement, available at: <https://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=631587>

In responding to the consultation, the council can ensure the independent examiner fully considers those issues that may have implications when making decisions on planning applications. These issues can then be appropriately addressed by an appointed examiner through the examination process.

### **Business Case (including Analysis of Issues)**

Neighbourhood plans are required to be in general conformity with the strategic planning policies contained within the Local Plan. Officers have regularly engaged with the parish council in accordance with the council's legal duty to assist bodies preparing neighbourhood plans and in accordance with the council's adopted Statement of Community Involvement. Matters raised by officers through this engagement have largely been addressed and reflected in the submitted draft neighbourhood plan, but there remain a few issues where it is recommended the council responds to the consultation to bring them to the examiner's attention and consideration.

The neighbourhood plan contains policies on issues including housing; settlement separation; the natural and historic environment; retail facilities; business and commercial development; transport; and design. The submission draft Plan proposes to allocate two sites for development comprising a total of 4 dwellings. It also proposes to allocate areas of land as Local Green Space, which if accepted would protect them from inappropriate forms of development.

The full recommended response is set out in Enclosure 1 to this report. The following is a summary of the recommended response to the key issues.

Policy / section	Comment summary
Policy ES1: Environmental standards for residential development	Suggested amendments to bring in line with recent updates to building regulations, to improve clarity, and to highlight that the LPU requirements regarding climate change still need to be subject to viability testing.
Chapter 5: Appropriate Housing Development	Confirmation of the position regarding indicative housing requirement. Confirmation of WBC's view that the plan allocations and policies meet this requirement in full and thereby satisfy the requirements of paragraph 14 of the NPPF (allowing the parish to benefit from a 3 year rather than 5 year land supply for 2 years from adoption). To improve clarity, it is recommended that the sites the plan proposes to allocate are incorporated into a specific policy rather than supporting text. Additionally, minor typographical updates to policy prefix in this chapter are suggested.
Policy ADH1: Development outside development limits	Suggested amendments to remove the policy wording regarding Thames Basin Heath SPA mitigation to a more relevant policy, and to make it less prescriptive.
Policy GS1: Key Local Gaps, Green Wedges and other important areas to maintain the separation of settlements	Minor suggested amendments to structure and wording to aid clarity as well as correcting figure reference. Suggested amendments are also made to the key associated with figure 7 to aid clarity.
Policy IRS1: Protection and enhancement of Local Green Spaces	Concerns expressed to the evidence and methodology used to justify the inclusion of some areas of land for Local Green Space (LGS) designation. Support raised for the remaining areas proposed for designation through the plan.
Policy IRS3: Conservation and enhancement of the historic character of the area	Suggested amendments to policy wording to ensure proper regard is had to non-designated heritage assets in the absence of detailed evidence proposed through the plan to protect specific assets.
Policy IRS5: Ecologically important areas and Biodiversity	Suggested amendments to policy wording for clarity and to ensure consistency in net gain requirements. Additionally, minor amendments to supporting text for additional clarity and to future proof the policy approach.
Policy GA2: Reduction in car usage with safe personal mobility options	Minor amendment to ensure WBC is engaged when works to improve the Rights of Way network are proposed.

## Next Steps

Once the consultation has closed, all representations and associated documents will be sent to an appointed examiner who will consider the plan.

There is no prescribed timeframe in which examination should take place. The examiner will decide whether the examination takes place in the form of a public hearing or, as is most common, via written representations.

Where considered necessary, the examiner will recommend amendments required for the plan to satisfy the basic conditions and will conclude whether or not the plan can proceed to a referendum.

Following receipt of the examiner's recommendations, the council will come to a formal view on whether the plan meets the basic conditions and, if so, will be responsible for arranging and undertaking the referendum.

If more than half the votes cast support the plan, the council must adopt it through a resolution of Council. At this point it would become part of the statutory development plan, and so carry significant weight when making decisions on planning applications and appeals.

## **FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.***

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

### **Other financial information relevant to the Recommendation/Decision**

No financial implications arise as a result of submitting representations to this consultation.

### **Cross-Council Implications**

No cross-council implications arise as a result of this consultation exercise.

### **Public Sector Equality Duty**

An Equalities Impact Screening Report was produced and published as an enclosure to the report for Executive on 29 September 2022.

<b>SUMMARY OF CONSULTATION RESPONSES</b>	
<b>Director – Resources and Assets</b>	No comments provided.
<b>Monitoring Officer</b>	No comments provided.
<b>Leader of the Council</b>	No comments provided.

<b>List of Background Papers</b>
Enclosure 1: WBC Response

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