

Agenda Item IMD12

INDIVIDUAL EXECUTIVE MEMBER DECISION

REFERENCE IMD: IMD 2023/12

TITLE	Wokingham Borough Council Response to the Updated Draft Ruscombe Neighbourhood Plan Consultation
DECISION TO BE MADE BY	Executive Member for Planning and Local Plan - Lindsay Ferris
DATE, MEETING ROOM and TIME	22 June 2023 LGF3 at 3pm
WARD	Remenham, Wargrave and Ruscombe;
DIRECTOR / KEY OFFICER	Director, Place and Growth - Giorgio Framaliccio

PURPOSE OF REPORT (Inc Strategic Outcomes)

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

RECOMMENDATION

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 updated draft Ruscombe Neighbourhood Plan: Submission Plan (March 2023) and for subsequent consideration by the appointed independent examiner.

SUMMARY OF REPORT

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

Neighbourhood plans are able to set out more detailed policies and can also choose to allocate sites for development, however neighbourhood plans cannot promote less development than set out in the strategic policies for the area, nor undermine those strategic policies.

Ruscombe Parish Council ("the Parish Council") has submitted an updated draft Ruscombe Neighbourhood Plan ("the updated draft Plan").

The Council's Executive agreed on 20th April 2023, that the updated draft Plan could progress to consultation. In line with the regulations governing the neighbourhood plan process, the Council publicised the plan for six weeks and has invited representations on the plan's content. Consultation began on Monday 15th May 2023 and ends on Monday 26th June 2023. In the same way as any other stakeholder, consultation provides the Council with the opportunity to consider the plan and submit representations.

The updated draft Plan remains fundamentally the same as the Plan previously produced by the Parish Council. This plan was withdrawn without the examination process completing. There are some differences between the updated draft Plan to the Plan that was produced by the Parish Council in October 2021, this includes further

information in Appendix B to justify the proposed Buildings of Traditional Local Character and Appendix C to justify the proposed Local Green Space designations. Some policies have also been modified to reflect responses from the previous consultation and following discussions with the Council's officers.

The updated draft Plan includes policies on issues including housing; the natural and historic environment; community facilities; business and commercial development; open space and transport. The Plan does not include any site allocations for development but identifies some areas of land as Local Green Space.

Officers have reviewed the updated draft Plan and prepared recommended representations. Policy RU5 (Buildings of Traditional Local Character) identifies and proposes to classify fourteen buildings and/or structures as Buildings of Traditional Local Character (non-designated heritage assets). Whilst the information provided in Appendix B is considered by the Council's Conservation Officer to be sufficient in justifying their designation, further clarity would be welcomed regarding engagement with the owners of each proposed building, as recommended by current best practice and guidance produced by Historic England. Some minor modifications are also proposed to the supporting text to take account of recommendations from the Council's Conservation Officer.

The recommended response also comments on Policy RU2 (Ruscombe Housing Design Code), which is considered to unnecessarily constrain suitable development which would deliver smaller homes, including on two sites proposed for allocation in the Revised Growth Strategy.

Representations are also recommended regarding the evidence that supports Policy RU8 (Local Green Spaces), which seeks to designate 10 areas of land as Local Green Space (LGS). It is considered that insufficient evidence has been provided to justify three of the ten areas of land as Local Green Space. The remaining seven areas are supported and align with the latest proposals in the Revised Growth Strategy consultation for the Local Plan Update.

Finally, minor modifications are recommended to Policy RU3 and Policy RU4 to either align with existing local and national planning policy and legislation or, where relevant, provide further clarity for decision takers.

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

Background

Neighbourhood plans help communities to shape how development is managed in their area. Neighbourhood plans work alongside strategic planning policies 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 cannot promote less development than set out in the strategic policies for the area or undermine those strategic policies¹.

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

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

Ruscombe Neighbourhood Plan

The Parish Council has prepared a neighbourhood plan covering their parish and has worked with members of the community who are interested in, or affected by, the plan through its preparation.

The Parish Council consulted residents and other interested parties on the scope and content of the neighbourhood plan. Consultation methods and community engagement activities used include (but were not limited to) a survey questionnaire to residents, public meetings, leaflet distribution to all households and businesses in Ruscombe Parish, social media campaign and a dedicated page on the Parish Council website. Further information is contained in the Consultation Statement and Appendices supporting the updated draft Ruscombe Neighbourhood Plan.²

By way of background, the Parish Council submitted a previous draft neighbourhood plan in October 2021, which was subject to Regulation 16 consultation and publication between February and March 2022. An independent examination of the Plan started in April 2022, but did not complete and no final report was issued.

The Parish Council chose to withdraw this draft Plan in February 2023 and has taken the opportunity to amend some aspects of policy and supporting evidence in light of previous representations, including this from the Council. The new updated draft Plan, subject of this report, was submitted to the Council in March 2023.

Updated draft Plan

Executive agreed on 20th April 2023, that the updated draft Plan and supporting documents could progress to consultation. Consultation began on Monday 15th May 2023 and ends on Monday 26th June 2023. The consultation provides the Council with the opportunity to make representations on the updated draft Plan's content, including supporting or objecting to any specific policies or proposals. As set out in the recommendations to the Executive report, any comments on the updated draft Plan are to be agreed through the Individual Executive Member Decision (IEMD) process.

¹ National Planning Policy Framework (NPPF) (2021), paragraph 29

² Ruscombe Updated Draft Neighbourhood Plan, available at:
<https://www.wokingham.gov.uk/EasySiteWeb/GatewayLink.aspx?allid=643979>

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 Local Plans. Officers have engaged with the Parish Council in accordance with the Council’s legal duty to assist bodies preparing their neighbourhood plan and in accordance with the Council’s adopted Statement of Community Involvement. Several of the matters raised by officers have been addressed by the Parish Council in the updated draft Plan, primarily through general amendments to policies and supporting text which are welcomed. However, there remain a few concerns in some key policy areas, where it is recommended that the Council responds to the consultation to bring them to the attention of the examiner.

The updated draft Plan contains policies on issues including housing; the natural and historic environment (including identifying Buildings of Traditional Local Character); community facilities; business and commercial development; open space and transport.

The updated draft Plan does not include any site allocations for development but identifies some areas of land as Local Green Space. Local Green Space designation is a way for a community to identify and protect green areas that are of particular importance to them but should only be used where the green space meets a specific set of criteria in national policy.³

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	Comment summary
Policy RU2: Ruscombe Housing Design Code	The policy does not meet the basic conditions as key design principles such as encouraging larger plot sizes or lower densities would unnecessarily constrain development in a manner that it not supported by national planning policy or strategic policies in the Core Strategy and MDD local plans. Further, the design guide/code promotes high-quality design and development which are core principles of the development plan, in particular Policy CP3 (General Principles of Development) of the Core Strategy (2010). The policy would also have significant implications on the indicative site capacities for two proposed housing allocations in the Local Plan Update and therefore, would not contribute to the achievement of sustainable development.
Policy RU5: Buildings of Traditional Local Character	The evidence and methodology used to assess the proposed buildings and/or structures as Buildings of Traditional Local Character is considered by the Council’s Conservation Officer to be sufficient in justifying their designation, however further clarity is welcomed regarding any engagement that has taken place with landowners during this process as recommended in current best practice and guidance produced by Historic England.

³ National Planning Policy Framework (NPPF) (2021), paragraph 102

Policy	Comment summary
Policy RU8: Local Green Spaces	The evidence and methodology used to justify the particular inclusion for three of the ten areas of land proposed for designation as Local Green Space (LGS), listed in Policy RU8, does not meet the criteria for designation set out in paragraph 102 of the NPPF. No objection is raised to the remaining seven areas proposed for designation through the updated draft Plan as these align with latest proposals in the Local Plan Update: Revised Growth Strategy.

Next Steps

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

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

At this time, the Council will consider the examination report and 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 for 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 in the neighbourhood area.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (2023/24)	Nil.	Not applicable.	Not applicable.
Next Financial Year (Year 2023/24)	Nil.	Not applicable.	Not applicable.
Following Financial Year (2024/25)	Nil.	Not applicable.	Not applicable.

Other financial information relevant to the Recommendation/Decision

No financial implications arise as a result of this consultation exercise. However, the Council is required to facilitate and fund both the examination and referendum processes. Whilst costs are initially incurred, government grant may be applied for retrospectively that will compensate for the expenditure.

Cross-Council Implications
No cross-council implications arise as a result of this consultation exercise. However, if the plan progresses to referendum, the Council would be required to arrange the referendum. This would be led by Electoral Services.

Public Sector Equality Duty
An Equalities Impact Screening Report was produced and published as an enclosure to the report for Executive on 20 April 2023.

SUMMARY OF CONSULTATION RESPONSES	
Director – Resources and Assets	No comments received.
Monitoring Officer	No comments received.
Leader of the Council	No comments received.

Reasons for considering the report in Part 2
N/A

List of Background Papers
National Planning Policy Framework Planning Practice Guidance: Neighbourhood Planning
Enclosure 1: WBC Response to the updated draft Ruscombe Neighbourhood Plan Consultation

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