

Wokingham Borough Council

Ruscombe Neighbourhood Plan Decision Statement

1. Summary

- 1.1 The Ruscombe Neighbourhood Plan (the Plan) was subject to independent examination. This decision statement confirms that the modifications recommended in the Examiner's report have been accepted, that the Plan will be altered as a result of it, and that this altered version of the Plan can proceed to referendum.
- 1.2 This Decision Statement and the Examination Report can be viewed on the Council's website. Hard copies of these documents can be inspected at the following locations:

Wokingham Borough Council Shute End Wokingham Berkshire RG40 1BN	Monday to Friday:	9am to 5pm
Wokingham Library Carnival Hub Wellington Road Wokingham Berkshire RG40 2AF	Monday Tuesday Wednesday Thursday Friday Saturday	9.30am to 5pm 9.30am to 5pm 9.30am to 4pm 9.30am to 7pm 9.30am to 5pm 9.30am to 4pm

2. Background

- 2.1 On 25 January 2018, Wokingham Borough Council designated the area of Ruscombe Parish for the purpose of preparing a Neighbourhood Plan in accordance with Part Two of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012.
- 2.2 Following the submission of the Ruscombe Neighbourhood Development Plan to the Council, the plan was publicised, and representations were invited for a 6-week period in accordance with the regulations. The publicity period ended on Monday 26 June 2023.
- 2.3 Wokingham Borough Council, with the support of Ruscombe Parish Council, appointed an independent examiner, Mr Andrew Ashcroft, in June 2023 to review whether the Plan meets the basic conditions set out in legislation and to make recommendations regarding whether the Plan should proceed to referendum.
- 2.4 The Examiner's Report concludes that, subject to making the modifications recommended therein, the Plan meets the basic conditions and should proceed to referendum. It concludes that the boundary for the purposes of the referendum should be the boundary of the designated Neighbourhood Area.
- 2.5 Having considered each of the recommendations in the Examination Report and the reasons for them, the Executive of Wokingham Borough Council agreed on 26 October 2023 to accept the modifications to the Plan and that the Ruscombe Neighbourhood Plan as modified should proceed to referendum.

- 2.6 Table 1 below outlines the alterations to the Plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations. This statement should be read alongside the Examiner's Report.
- 2.7 In addition to the modifications recommended by the Examiner, Wokingham Borough Council is also authorised to correct minor errors that may have been missed so far [Town and Country Planning Act 1990 Schedule 4B section 12(6)]. Minor typographical corrections are set out in Table 2.

3. Decision and Reasons

- 3.1 Wokingham Borough Council has made the modifications, proposed in the Examination Report, to secure that the Plan meets the basic conditions, for the reasons given. These are set out in Table 1 below. **Bold, and underline** has been used to show added text and ~~strikethrough~~ to show removed text. Please be aware that paragraphs refer to the submitted draft Plan and do not relate to any subsequent version of the plan.

Table 1 – Examiner’s recommended modifications to the plan

No.	Policy / Plan section	Examiner’s Recommended Modifications	Reason	Decision
1	Policy RU1: Development Limit for Ruscombe	<p>Replace the first two paragraphs in the policy with the following wording:</p> <p><u>‘The development limit for Ruscombe is shown on the Policies Map. Within this area proposals for development will be supported where they accord with the policies of the development plan.</u></p> <p><u>The land outside the settlement boundary is within the Green Belt and considered to be part of the open countryside. New development outside the settlement boundary will be controlled in line with national Green Belt policies.’</u></p> <p>At the end of paragraph 5.6 add the following:</p> <p><i>‘Developers are encouraged to demonstrate early, proactive, and effective engagement with the community particularly about design issues. The NPPF also encourages ‘any applicants who are not already required to do so by law to engage with the local community...before submitting their applications.’ (Paragraph 40). The National Design Guide highlights the vital role that communities play in the design process of proposals. The intent is therefore to lead to a higher standard of local community engagement in the design process. The identity of Ruscombe and the important of high-quality design was raised as important issues by the local community and it is therefore vital that their knowledge of how the area functions, their understanding of the essential features of local character, and their views on the merits of emerging proposals are given proper weight in the consideration of planning applications.</i></p> <p><i>Proposals for 10 or more dwellings more than a 1000m2 of new floor space or where the site is greater than a hectare in size, applicants are encouraged to demonstrate in a Statement of Community Involvement how they have engaged in a meaningful way with local people and other stakeholders prior to submitting a planning application. Where appropriate, the Statement should describe how the knowledge and opinions of the local community have been sought, positively considered, and responded to in formulating the proposals set out in the separate</i></p>	To improve the clarity of the policy as required by the NPPF.	Accepted.

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		<p><i>Design and Access Statement, where a proposal has not accommodated that knowledge or opinion, then the Statement should explain the reasons for not doing so.</i></p> <p><i>This approach is a direct response to the provisions of NPPF (paragraphs 39 - 40 and 127 - 133). The Parish Council strongly supports the view expressed by government in the NPPF that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties and improving the design of new development through engagement with local communities. The Plan presents an opportunity for the Parish Council to correct an historic lack of encouragement to applicants to engage with the local community. The approach is also broadly in line with the spirit and intention of effective community engagement on design as set out in planning practice guidance.'</i></p>		
2	Policy RU2: Ruscombe Housing Design Code	<p>Replace the policy with the following:</p> <p><u>'As appropriate to their scale, nature, and location, development proposals in Ruscombe should deliver high quality design solutions which are distinctive to the site concerned.</u></p> <p><u>In addition, development proposals should respond positively to the essential design considerations, the area typologies and site-specific design briefs and general design principles set out in the Ruscombe Housing Design Code (Appendix A).'</u></p> <p>Delete the following wording in paragraph 5.9:</p> <p><i>'It requires that development proposals demonstrate, where relevant to the nature and location of the proposal, that full regard has been paid to these principles.'</i></p> <p>Replace the initial two paragraphs in the Ruscombe Housing Design Code (Appendix A) with the following:</p> <p><i>'The Design Code of Policy RU2 of the Plan has been prepared to encourage high standards of design in that part of the village that is inset from the Green Belt and to</i></p>	<p>To improve the clarity of the policy as required by the NPPF and to assist Wokingham Borough Council during its implementation in the Plan period.</p> <p>To acknowledge that specific proposals may come forward in the emerging Local Plan with their own design solutions.</p>	Accepted.

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		<p><i>ensure that its essential character is conserved. It applies to all schemes for infill housing development and plot redevelopment. It has also been prepared to complement the existing approach taken in the Borough Council's Design Guide Supplementary Planning Document (SPD). Policy RU3 applies to the Conservation Area and its setting, which lies entirely within the Green Belt.</i></p> <p><i>The Code will be applied alongside development plan policies. It will be implemented through the determination of planning applications by the Borough Council. Over that period, it is possible that there will be changes in market conditions, in Government policy (especially in mitigating climate change) and in the planning system. The effectiveness and operation of the Code will be monitored by the Parish Council and future reviews of the Neighbourhood Plan may propose revisions where necessary.'</i></p> <p>Under the 'Code' heading in the Ruscombe Housing Design Code (Appendix A), replace the text with the following wording:</p> <p><i>'The Code sets out essential design considerations such as plot design, dwelling design, boundary design, access/parking, and landscaping. The Parish Council considers that the character of the different parts of the existing village is sufficiently strong to act as a context for new proposals. This is set out through a combination of area typologies (see Design Code Typology Plan), general principles and site-specific design briefs.</i></p> <p><i>For each character area and specific sites, the Code translates the principles from the Wokingham Borough Design Guide into specific requirements. For ease of reference, the Code matches the Character Area or Site-specific code to the Design SPD standard number.</i></p> <p><i>Applicants preparing development proposals should be familiar with the Borough Council's Design Guide SPD and then relate the proposed development location to the correct part of the neighbourhood area. The Parish Council will use both the Design SPD and the Code to inform their judgment of proposals in making their representations to the Borough Council when it is consulted on planning</i></p>	<p>To acknowledge that there may be alternative ways of securing high quality design beyond the approach taken in the Ruscombe Housing Design Code.</p>	

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		<p><i>applications.</i></p> <p><i>As with all design guidance, the standards and requirements should be regarded as setting the general guidance for development proposals. Nevertheless, there may well be circumstances where a proposal may depart from the guidance where such an approach can be justified. Given the built-up nature of the western part of the parish the scope for change in character is likely to remain very limited. Nevertheless, there may be scope for greater design innovation including on proposed redevelopment of sites in the Green Belt. In addition</i></p> <p><i>In all cases development proposals should demonstrate that they have responded positively both to the Borough Council's Design SPD and to the Neighbourhood Plan Design Code in a way that is appropriate to their scale, nature, and location.'</i></p>		
3	Policy RU3: Ruscombe Conservation Area	<p>Amend the policy as follows:</p> <p>Development proposals should sustain conserve and, where possible, enhance the historic environment, particularly the special architectural and historic significance interest of the designated Ruscombe Conservation Area and its setting. Features identified as positive characteristics of the Conservation Area and its immediate setting are defined in the Ruscombe Housing Design Code attached as Appendix A, to which all proposals must have full regard.</p>	For consistency with the wording used in national legislation.	Accepted.
4	Policy RU4: Community Engagement in Planning	<p>Delete the policy.</p> <p>Delete paragraphs 5.12 to 5.14.</p>	To ensure policy does not cover non-land use matters. However, the Examiner has recognised the importance of early and meaningful engagement by developers in their	Accepted.

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			proposals and has recommended that this approach is incorporated into the supporting text to Policy RU1.	
5	Policy RU6: Employment	<p>Amend the policy as follows:</p> <p>Development proposals that will result in the loss of employment floor space at Ruscombe Business Park, as shown on the Policies Map, will be resisted will not be supported, unless it can be demonstrated that it is in accordance they are in accordance with other employment related policies of the development plan, or that there will be an increase in jobs as a result of the proposals enabling a higher employment density to be achieved.</p>	To improve the clarity of the policy as required by the NPPF.	Accepted.
6	Policy RU7: Community Facilities	<p>Amend the second paragraph of the policy as follows:</p> <p>Proposals that will lead to the unnecessary loss of a community facility will be resisted will not be supported unless it can be clearly demonstrated that the use of the building and ancillary land is no longer viable or that the use can be satisfactorily relocated for the ongoing benefit of the local community.</p>	To improve the clarity of the policy as required by the NPPF.	Accepted.
7	Policy RU8: Local Green Spaces	Delete the following Local Green Spaces: iv. (New Road), vii. (Crossroads Lane) and ix. (London Road) from the policy and the Policies Map.	The three Local Green Spaces are not considered by the Examiner reflect the expectations of the NPPF that Local Green Space designations should be more than incidental green or open spaces.	Accepted.

No.	Policy / Plan section	Examiner's Recommended Modifications	Reason	Decision
8	Policy RU9: Green Infrastructure and Biodiversity	<p>Amend the third paragraph of the policy as follows:</p> <p>Proposals that will lead to the loss of land lying within the Network and that will undermine its integrity will be resisted will not be supported. Proposals which enhance/maintain the existing Green Infrastructure Network will be supported. Proposals to create new Green Infrastructure, including pedestrian and cycle routes, will also be supported, provided they are consistent with all other relevant policies of the development plan.</p>	To improve the clarity of the policy as required by the NPPF.	Accepted.
9	Policy RU10: Managing Traffic	<p>Replace the policy with the following:</p> <p><u>'As appropriate to their scale, nature and location development proposals should deliver or contribute towards measures to mitigate the impact on the highway network, such as through traffic calming measures and active travel improvements.'</u></p>	To avoid conflict with policies in the development plan, with respect to providing mitigation for transport related measures.	Accepted.
10	Policy RU11: Car Parking	<p>Amend the first paragraph of the policy as follows:</p> <p>Development proposals must should provide and retain appropriate levels of parking (including people with disabilities, visitors and electric charging facilities) in accordance with adopted parking standards and having regard to the Borough's Highways Design Guide.</p>	To improve the clarity of the policy as required by the NPPF.	Accepted.
11	Section 6: Implementation	<p>At the end of Section 6 add:</p> <p><u>'Monitoring and Review</u></p> <p><u>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.</u></p> <p><u>The success or otherwise of the policies will feed into the assessment of the need for</u></p>	To highlight the status of the emerging Local Plan Update and the circumstances where a full or partial review of the made neighbourhood plan may be required.	Accepted.

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		<p><u>a review of the Plan.</u></p> <p><u>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:</u></p> <ul style="list-style-type: none"> • <u>within two years of the making of the Plan;</u> • <u>within six months of the adoption of the emerging Local Plan;</u> • <u>if changes to national policy are so significant that they make the policies in the Plan ineffective or out of date; and</u> • <u>at the end of the Plan period.'</u> 		
12	Foreword	<p>Amend the third aim in the Foreword as follows:</p> <p>To preserve and enhance the character of the St. James' Church Conservation Area Ruscombe Conservation Area and its setting.</p>	To correct the title of the Conservation Area.	Accepted.

3.2 Wokingham Borough Council has made the minor modifications authorised to correct minor errors that have been missed so far. These are set out in Table 2 below. **Bold, and underline** has been used to show added text and ~~strikethrough~~ to show removed text.

Table 2 – Minor Modifications

Change proposed	Paragraph / section	Reason for change
To preserve or enhance the character of the St. James' Church Ruscombe Conservation Area and its setting.	Vision, Objectives & Land Use Policies	To correct the title of the Conservation Area.
Update labelling of policies in the Policies Map.	Policies Map	Consequential modification to labelling of policies following Independent Examiner's recommendation to delete Policy RU4 from the Plan.
Remove the following Local Green Space designations from the Policies Map: (iv) New Road; (vii) Crossroads Lane and (ix) Land at London Road.	Inset 1	Consequential modification following Independent Examiner's recommended modification to delete three areas of green space from Policy RU8.
Update labelling of policies in Inset 1.	Inset 1	Consequential modification to labelling of policies following Independent Examiner's recommendation to delete Policy RU4 from the Plan.

Change proposed	Paragraph / section	Reason for change
Remove the following Local Green Space designations from the Green Infrastructure Network – Inset 1: (iv) New Road; (vii) Crossroads Lane and (ix) Land at London Road.	Green Infrastructure Network – Inset 1	Consequential modification following Independent Examiner’s recommended modification to delete three areas of green space from Policy RU8.

- 3.3 Wokingham Borough Council has considered whether to extend the area in which the referendum is to take place. Like the Examination Report, Wokingham Brough Council has decided that there is no reason to extend the area for the purpose of holding the referendum and that the referendum area should be the Neighbourhood Area.
- 3.4 The Examination Report concluded that, with the modifications made, the Plan meets the basic conditions and other relevant legal requirements. Wokingham Borough Council agreed with this view and concludes that the Plan, as modified, meets the basic conditions.
- 3.5 To meet the requirements of the Localism Act 2011 a referendum which poses the question 'Do you want Wokingham Borough Council to use the neighbourhood plan for Ruscombe parish to help it decide planning applications in the neighbourhood area?' will be held in the parish of Ruscombe.
- 3.6 The date on which the referendum will take place is agreed as 7 December 2023.

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