

TO: EXECUTIVE
11 FEBRUARY 2014

DESIGNATION OF NEIGHBOURHOOD AREAS – BRACKNELL TOWN AND BINFIELD PARISH

Director of Environment, Culture & Communities

1 PURPOSE OF REPORT

1.1 The designation of a neighbourhood area is a pre-requisite for neighbourhood planning including the production of a Neighbourhood Development Plan (NDP). The purpose of this report is to seek the Executive's approval for the designation of neighbourhood areas covering:

- a. the area of Binfield Parish; and,
- b. the area of Bracknell Town.

2 RECOMMENDATION(S)

2.1 That the administrative area of Binfield Parish as shown on the map at Appendix A be designated as a Neighbourhood Area.

2.2 That the administrative area of Bracknell Town as shown on the map at Appendix B be designated as a Neighbourhood Area.

3 REASONS FOR RECOMMENDATION(S)

3.1 The reasons for this recommendation are:

- the requests made comply with the legislative requirements;
- the areas proposed for designation are considered appropriate for the purposes of neighbourhood planning; and,
- the designations are supported by the responses to the consultation on the two requests.

3.2 Further details of the relevant considerations are provided in subsequent sections of this report.

4 ALTERNATIVE OPTIONS CONSIDERED

4.1 The options of not making the designations or seeking to vary their extent were considered but for the reasons explained elsewhere in this report it is considered appropriate to make the designations as applied for.

5 BACKGROUND INFORMATION

The Applications

- 5.1 Binfield Parish and Bracknell Town Councils both submitted requests for their entire administrative areas to be designated as neighbourhood areas under the provisions of Section 61G of the Town and Country Planning Act 1990. The Council has a duty to determine any application for such a designation and there are certain considerations that apply. The applications included the reasons why the Parish and Town Councils considered themselves to be relevant bodies and their respective specified areas to be appropriate. The applications were publicised in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012.
- 5.2 Regard must be had to the desirability of designating the whole of the area of a parish council (Section 61G[4] [a] of the Act). In the cases of both Binfield Parish and Bracknell Town the proposals are for the designations to cover the entire Parish or Town Council areas. This is considered desirable as it simplifies the process of preparing development plans and enables the use of evidence base data which is available at parish level.
- 5.3 The Borough Council must also consider (Section 61H of the Act) whether the area concerned should be designated as a business area (this is a Business Neighbourhood Planning Area within which a forum can be established to prepare a Business Neighbourhood Development Plan). However, such an area should only be designated where it is wholly or predominantly business in nature. While the Bracknell Town proposed area does include significant areas of predominantly commercial uses, overall these uses do not predominate across the application area. There are only limited commercial uses within Binfield Parish and they are clearly not predominant.
- 5.4 As these are the first such applications made to the Borough Council there is no need for the Council to consider the desirability of maintaining the boundaries of existing neighbourhood areas (Section 61G[4][b] of the Act).
- 5.5 If the applications are approved, the Council is required by the Regulations to publicise the designations. If either application is refused the Borough Council is required to give the reasons for the refusal.

Consultation

- 5.6 In accordance with the Regulations the applications were publicised on the Council's website and information was provided on how and when to make representations. Copies of the applications, the maps showing the application areas and comment forms were made available in Borough Council offices at Easthampstead House and Time Square, at libraries within the affected areas and at the Binfield Parish and Bracknell Town Council offices. The consultation ran for a six week period from 31st October to 13th December 2013.
- 5.7 The consultation attracted one representation relating to Binfield Parish and four relating to Bracknell Town. All the representations supported the designation of the areas and are summarised in Table 1 below.
- 5.8 Table 1 – Summary of Responses to Consultation on the Applications to Designate Neighbourhood Areas in Binfield Parish and Bracknell Town.

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<u>Binfield Parish Application</u>		
<u>Name / Organisation</u>	<u>Support or Object</u>	<u>Comment</u>
<u>Warfield Parish Council</u>	<u>Support</u>	<u>None</u>
<u>Bracknell Town Application</u>		
<u>Name / Organisation</u>	<u>Support or Object</u>	<u>Comment</u>
<u>Binfield Parish Council</u>	<u>Support</u>	<u>As the Binfield and Bracknell Town proposals are in adjacent areas it is sensible to use the parish boundary line, particularly as there is the intention to work together where there is a mutual interest (housing for example) that crosses the boundary.</u>
<u>G Clarke</u>	<u>Support</u>	<u>General comments summarised as follows:</u> <ul style="list-style-type: none"> • <u>Solar panels should be provided on all new housing</u> • <u>Parking should be provided to meet modern lifestyles</u> • <u>Bike paths should be connected and properly signed</u> • <u>Brownfield development should be promoted and use of old industrial sites / empty offices</u> • <u>A reasonable number of road exits should be provided from areas with high populations and community facilities</u>
<u>Warfield Parish Council</u>	<u>Support</u>	<u>None</u>
<u>Crowthorne Parish Council</u>	<u>Support</u>	<u>None</u>

Other Considerations

- 5.9 While the recommendation is to proceed with the designation of the two neighbourhood areas, there are some issues that the Parish and Town Councils will need to consider in preparing their NDPs.
- 5.10 For Binfield Parish, the neighbourhood area contains a number of key allocation sites the delivery of which is essential to providing for the Borough's overall development

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needs and strategy. These contain a significant number of new homes and supporting infrastructure including notably a new secondary school to serve the north of the Borough. In order to produce a sound NDP it will be important to ensure that its policies do not conflict with the strategic elements of the development plan for the area including the Core Strategy and Site Allocations Local Plan.

- 5.11 The Bracknell Town designated area is extensive encompassing a number of distinct residential neighbourhoods as well as employment areas and the commercial centre of Bracknell. It will be a challenge to produce a NDP for such a large and diverse area.
- 5.12 For both Councils it will be important that their NDPs are based on robust evidence and the Borough Council can have a role in providing data for this purpose. They will also need to ensure that the NDPs are properly consulted on with all interested parties, including statutory bodies, landowners and developers as well as local residents and businesses. The Borough Council can assist with contact details.
- 5.13 At the end of the process of preparing a NDP, it must be submitted to the local planning authority, checked for legal compliance and publicised for a minimum of 6 weeks. It is then subject to examination by an independent examiner who checks that it meets 'basic conditions' and issues a report. The local planning authority must then consider the report and make a decision on whether to hold a referendum on the plan.

Resource Implications

- 5.14 As indicated above, this Council, as local planning authority, has a statutory duty to carry out certain parts of the NDP process, including holding the examination and the referendum. The Council also has a role in ensuring that NDPs do not conflict with the strategic elements of the development plan and in providing information and advice.
- 5.15 If the neighbourhood areas are designated the Council will be able to apply for the first stage of government grant money of £5,000 per area designation (with a total of up to £30,000 per NDP available overall under the current scheme). This money is intended to help local planning authorities resource the additional work required to support NDPs. Separate funding streams and practical support are available to the Parish and Town Councils to assist them with their NDPs.
- 5.16 The work of supporting the preparation of NDPs will be carried out from within the Spatial Policy section as this section has access to relevant data and experience of preparing planning policies, consultation and running examinations in public. It is envisaged that the work will be resourced from within existing budgets supplemented by the grant money available from government, though this may require review in future depending on the level of support needed for preparing NDPs.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 Nothing to add to the report.

Borough Treasurer

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- 6.2 As stated in paragraph 5.16 it is intended that any additional costs to the Council will be funded from within existing spatial policy budgets and grant money available from government. Any changes to budgets will need to be agreed through the Council's usual budget process.

Equalities Impact Assessment

- 6.3 An EqIA Screening Form has been completed (Appendix C). This does not identify any negative impacts.

Strategic Risk Management Issues

- 6.4 There are not considered to be any strategic risks associated with the designation of the Neighbourhood Areas. When NDPs are adopted it would increase the proportion of Community Infrastructure Levy (CIL) receipts payable to the town and parish Councils in the relevant areas from 15% to 25% once CIL is introduced. This will increase the funding gap between cost of the infrastructure needed to mitigate new infrastructure and the funds available to the Borough Council to provide them. However it is hoped that town and parish council spending and Borough Council spending can be effectively co-ordinated.

7 CONSULTATION

- 7.1 Public consultation was carried out for a six week period as described at paragraphs 5.6 to 5.8 above.

Background Papers

Appendix A – Plan showing Neighbourhood Area for Binfield
Appendix B – Plan showing Neighbourhood Area for Bracknell Town
Appendix C – Equalities Impact Assessment Screening Form

Contact for further information

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