

**TO: EXECUTIVE MEMBER FOR PLANNING AND TRANSPORTATION
14th JULY 2014**

DESIGNATION OF NEIGHBOURHOOD AREA – WARFIELD

1 PURPOSE OF DECISION

- 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 approval of the Executive Member for Planning and Transportation for the designation of a neighbourhood area covering Warfield Parish.

2 RECOMMENDATION

- 2.1** **That the Executive Member for Planning and Transportation designates the administrative area of Warfield Parish as a Neighbourhood Area as shown on the map at Appendix A.**

3 REASONS FOR RECOMMENDATION

- 3.1** The reasons for this recommendation are:
- the request made complies with the legislative requirements;
 - the area proposed for designation is considered appropriate for the purposes of neighbourhood planning; and,
 - the designation is supported by the responses to the consultation on the proposal.
- 3.2** Further details of the relevant considerations are provided in subsequent sections of this report.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1** The option of not making the designation or seeking to vary the extent has been considered but for the reasons explained elsewhere in this report it is considered that the area applied for, is appropriate.

5 SUPPORTING INFORMATION

The Application

- 5.1** Warfield Parish Council submitted a request for its entire administrative area to be designated as a neighbourhood area under the provisions of Section 61G of the Town and Country Planning Act 1990 (the Act). The Council has a duty to determine any application for such a designation and there are certain considerations that apply. The application included the reasons why the Parish Council considered itself to be a relevant body and its respective specified area to be appropriate. The

application was publicised in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012 (the Regulations).

- 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 case of Warfield, the proposal is for the designation of the entire parish area. This is considered desirable as it simplifies the process of preparing a NDP and enables data that is available at parish level, to be used as part of the evidence base.
- 5.3** As other neighbourhood areas have already been designated (Binfield Parish and Bracknell Town), the Council must also consider the desirability of maintaining the boundaries of these areas (Section 61G[4][b] of the Act). It is not considered that the designation of Warfield Parish would alter the desirability of maintaining these existing neighbourhood area boundaries since they are also based on parish/town council boundaries and do not therefore overlap.
- 5.4** Under Section 61H of the Act, whenever a local planning authority exercises powers under Section 61G to designate an area as a neighbourhood area, consideration must be given to the designation of the area as a business area. The designation of the specified area can only occur if it is considered that the area is wholly or predominately business in nature [Section 61H (3)]. There are only limited commercial uses within Warfield Parish and they are clearly not predominant
- 5.5** If the application for the designation of this neighbourhood area is approved, then Regulation 7(1) of the Regulations requires the designation to be publicised. If the application is refused, reasons must be given under 61G(9) of the Act and Regulation 7(2) of the Regulations.

Consultation

- 5.6** In accordance with the Regulations, the application was publicised on the Council's website and information was provided on how and when to make representations. Copies of the application, the map showing the application area and comment forms were made available in the Council's offices at Easthampstead House and Time Square, at Whitegrove Library within the affected area and at the Warfield Parish Council's office. The consultation ran for a six week period from 28th April to 11th June 2014 (2 days were added to the consultation period to account for May Bank Holidays).
- 5.7** The consultation attracted two representations. The representations supported the designation of the area and are summarised in Table 1 below.

Table 1

<u>Warfield Parish Application</u>		
<i><u>Name/ Organisation</u></i>	<i><u>Support or Object</u></i>	<i><u>Comment</u></i>
Royal Borough of Windsor and Maidenhead	Support	General comment made: Would like to be consulted throughout the process of neighbourhood plan production as appropriate. Also

		suggest neighbourhood planning groups in the Royal Borough should be consulted where any emerging policies may have an impact on them.
Crowthorne Parish Council	Support	No comments provided.

Other Considerations

- 5.8** While the recommendation is to proceed with the designation of the neighbourhood area, there are some issues that the Parish Council will need to consider in preparing its NDP.
- 5.9** Warfield Neighbourhood Area contains a number of key allocation sites, the delivery of which is essential to providing for the Borough's overall development needs and strategy. These contain a significant number of new homes and supporting infrastructure including primary schools and neighbourhood facilities 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 the Site Allocations Local Plan.
- 5.10** It will be important that the Warfield NDP is based on robust evidence. The Borough Council will have a role in providing data for this purpose. It will also need to ensure that consultation takes place with all interested parties, including statutory bodies, landowners and developers as well as local residents and businesses.
- 5.11** Once the NDP has been prepared, it must be submitted to the local planning authority, checked for legal compliance and publicised for a minimum of six 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

- 5.12** 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 the NDP does not conflict with the strategic elements of the development plan and in providing information and advice.
- 5.13** If the neighbourhood area is designated, the Council will be able to apply for the first stage of government grant money of £5,000 for the area designation (with a total of up to £30,000 available overall under the current scheme). This money is intended to help local planning authorities resource the additional work required to support a NDP. Separate funding streams and practical support are available to the Parish Council to assist it with its NDP.
- 5.14** The work of supporting the preparation of the NDP will be carried out by staff within the Spatial Policy section as this section has access to relevant data and experience of preparing planning policies, consultation and running examinations. It is envisaged that the work will be resourced from within existing budgets supplemented by the grant money available from government, though this may need to be reviewed in future depending on the level of support needed to prepare NDPs.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

6.1 Nothing to add to content of report.

Borough Finance Officer

6.2 As stated in the report the Council will be able to apply for a grant towards the additional costs involved in this work. The ongoing staff resources can currently be met from within existing budgets.

7 CONSULTATION

7.1 Public consultation was carried out as described at paragraph 5.6 above.

Background Papers

Appendix A – Map showing extent of neighbourhood area for Warfield

Contact for further information

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