

# **General Information Document on Town and Country Planning, including Neighbourhood Planning**

## **1. The Planning System**

- 1.1 The planning system manages the use and development of land and buildings with the aim of creating sustainable places to live and work. Without a planning system in place, development would not be controlled and could take place anywhere, with considerable impact on people and the environment. Potential development activity is managed through planning applications, using local plans as a basis to make decisions.
- 1.2 The planning system has two parts which are usually the responsibility of the Local Planning Authority:
  - Plan making - setting out proposals for development and policies to guide development over a period of time.
  - Development management – where planning decisions are made through the assessment of planning applications.
- 1.3 Not all forms of development require planning permission as some proposed development, depending on the scale and type, is covered by permitted development rights. For development that requires planning permission, the Royal Borough of Windsor and Maidenhead (RBWM) is responsible for deciding whether the development should go ahead. Decisions on planning applications in the Hurley and the Walthams parishes are currently based on the National Planning Policy Framework (NPPF), the adopted Local Plan 1999 (with modifications in 2003), Policy NRM6 of the South East Plan and the Berkshire Minerals and Waste Plan. If 'made' (adopted) the Hurley and the Walthams Neighbourhood Plan 2015-2030 will also become part of the Development Plan and be used in decision making on planning applications within the parishes.

## **2. National Planning Policy**

- 2.1 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The framework gives guidance to local planning authorities in drawing up development plans and on making decisions on planning applications. The NPPF includes a presumption in favour of sustainable development and sets out core planning principles to be followed which include environmental, social and economic aspects. National Planning Practice Guidance (NPPG) supports the NPPF and provides further guidance on planning issues such as neighbourhood planning.

## **3. Local Plans**

- 3.1 Local Plans are prepared by Local Planning Authorities and set out the strategic priorities and planning policies for the local authority area. The policies in a local plan set out to deliver key development including homes and jobs required, the provision of retail and community facilities and infrastructure. Policies relating to managing climate change, conservation and enhancement of the natural and historic environment are also included.

Local Plans must be positively prepared, justified, effective and consistent with national policy in line with s.20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the NPPF.

- 3.2 The current Local Plan for the Royal Borough is being updated. Further information on the adopted Local Plan and Borough Local Plan can be found here - [https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/591/development\\_plan/2](https://www3.rbwm.gov.uk/info/200414/local_development_framework/591/development_plan/2)

#### **4. Neighbourhood Planning**

- 4.1 Neighbourhood Planning was introduced under the 2011 Localism Act. It provides an opportunity for local communities to shape future development in their local area.
- 4.2 In parished areas, neighbourhood plans can be produced by parish councils which are referred to as the 'Qualifying Body'.
- 4.3 Neighbourhood plans have to meet a number of basic conditions in order to proceed to referendum stage. An independent examiner is appointed to check that a plan meets the basic conditions which are set out below:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan for the area; and
  - Be compatible with European Union (EU) and European Convention on Human Rights obligations.

#### **5. What is a Neighbourhood Plan Area?**

- 5.1 A neighbourhood plan must apply to a specific designated area which can range from single streets or large rural or urban areas.
- 5.2 The boundary of the neighbourhood area for the Hurley and the Walthams Neighbourhood Plan was approved by the Royal Borough in March 2013 and follows the ward boundary. The borough council agreed with the Examiner's recommendation to proceed to a referendum based on the Hurley and the Walthams Neighbourhood Area as approved by the council.

#### **6. Neighbourhood Plan Referendum**

- 6.1 The Neighbourhood Plan has been the subject of two formal public consultation stages and was submitted to the borough council. An independent examiner (Mr Nigel Mc Gurk) considered the Neighbourhood Plan and provided his report to RBWM. His report recommended that, subject to his modifications proposed, the neighbourhood plan should proceed to referendum based on the Hurley and the Walthams Neighbourhood Area as approved by the council. The borough council accepted and agreed all the modifications proposed and were subsequently satisfied that the neighbourhood plan met the basic

conditions and all other legislative requirements. The borough council confirmed in July 2017 that the neighbourhood plan could proceed to referendum.

- 6.2 The Hurley and the Walthams Neighbourhood Plan referendum will be held on **23 November 2017**.
- 6.3 The proposed Neighbourhood Plan needs to gain the approval of the majority of voters (more than 50%) in the local community for the Local Planning Authority to 'make' the neighbourhood plan.
- 6.4 If the Neighbourhood Plan is made then it will become part of the Development Plan for the Royal Borough of Windsor and Maidenhead and will be used in the determination of planning applications in Hurley and the Walthams parishes. If more people vote 'no' than 'yes', then the Neighbourhood Plan will not become part of the Development Plan for the local area.
- 6.5 Additional information on neighbourhood planning is available on the following website – [www.gov.uk/neighbourhood-planning](http://www.gov.uk/neighbourhood-planning).