

Taplow Neighbourhood Plan

Legislation

Taplow Neighbourhood Plan (TNP) is the lowest level of planning policy that is recognised when a planning application is considered. It is subordinate to the National Planning Policy Framework (NPPF) and the Local Plan (LP) and should not repeat anything contained within those plans. It is enabled by the Localism Act.

Appendices to this document gives a set of web pointers to and a write-up on the government's briefing on Neighbourhood Plans.

Stages summary

- The clerk writes to SBDC to request approval to start
- SBDC opens a public consultation and invites comments
 - If response is favourable, SBDC approve the start
- Working Party starts to list topics and solicit wide inputs from residents and relevant businesses.
- Draft Plan emerges and can go through cycles. Ways to get feedback to be developed.
- When complete, the Plan is submitted to SBDC for validation.
 - Loop to adjust to any mandated changes
- SBDC submits the Plan to a referendum
 - Requires majority approval from those voting.
- Note that as the new Local Plan is evolving across the next two years, we have to keep it in review for any effect it may have on us.

Example

Chalfont St Peters has built a plan which has gone through referendum. They are a bigger and more complex parish than Taplow but it gives a feel for what can be successful.

<http://www.chiltern.gov.uk/CHttpHandler.ashx?id=6266&p=0>

Web pointers to government guidelines for Neighbourhood Plans

1. What is neighbourhood planning?
 1. What is a neighbourhood plan and what is its relationship to a Local Plan?
 2. What is a Neighbourhood Development Order?
2. Who leads neighbourhood planning in an area?
3. The role of the local planning authority in neighbourhood planning
4. Designating a neighbourhood area
5. Preparing a neighbourhood plan or Order
6. Consulting on, and publicising, a neighbourhood plan or Order
7. Submitting a neighbourhood plan or Order to a local planning authority
8. The Independent Examination
9. The neighbourhood planning referendum
10. A summary of the key stages in neighbourhood planning
11. The basic conditions that a draft neighbourhood plan or Order must meet if it is to proceed to referendum
 1. National policy and advice
 2. Listed buildings and conservation areas
 3. Sustainable development
 4. General conformity with the strategic policies contained in the development plan
 5. EU obligations
 6. Other basic conditions

Neighbourhood planning

The Localism Act, which received Royal Assent on November 15 2011, introduced new rights and powers to allow local [communities to shape new development](#) by coming together to prepare [neighbourhood plans](#).

Neighbourhood planning can be taken forward by two types of body - town and parish councils or 'neighbourhood forums'. Neighbourhood forums are community groups that are designated to take forward neighbourhood planning in areas without parishes. It is the role of the local planning authority to agree who should be the neighbourhood forum for the neighbourhood area.

The criteria for establishing neighbourhood forums are being kept as simple as possible to encourage new and existing residents' organisations, voluntary and community groups to put themselves forward.

Neighbourhood forums and parish councils can use new neighbourhood planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as '**neighbourhood development plans**.'

In an important change to the planning system communities can use neighbourhood planning to **permit** the development they want to see - in full or in outline - without the need for planning applications. These are called '**neighbourhood development orders**.'

Local councils will continue to produce development plans that will set the strategic context within which neighbourhood development plans will sit.

Neighbourhood development plans or orders do not take effect unless there is a majority of support in a referendum of the neighbourhood.

They also have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy).

Conditions are:

1. they must have regard to national planning policy
2. they must be in general conformity with strategic policies in the development plan for the local area (i.e. such as in a core strategy)
3. they must be compatible with EU obligations and human rights requirements.

An independent qualified person then checks that a neighbourhood development plan or order appropriately meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality.

Proposed neighbourhood development plans or orders need to gain the approval of a majority of voters of the neighbourhood to come into force. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force.

[Find out more on the Community Rights website.](#)

Community Right to Build

The Localism Act also allows for community organisations to bring forward a 'community right to build order' which is a type of neighbourhood development order.

This allows certain community organisations to bring forward smaller-scale development on a specific site, without the need for planning permission. This gives communities the freedom to develop, for instance, small-scale housing and other facilities that they want.

Any benefit from this development stays within the community to be used for the community's benefit, for example, to maintain affordable housing stock or to provide and maintain local facilities such as playgrounds and village halls.

Community right to build orders are subject to a limited number of exclusions, such as proposals needing to fall below certain thresholds so that an Environmental Impact Assessment is not required. Proposals are subject to testing by an independent person and a community referendum.

[Find out more on the Community Rights website.](#)

Community Infrastructure Levy

The Community Infrastructure Levy allows local authorities to set charges which developers must pay when bringing forward new development in order to contribute to new or enhanced services and infrastructure.

The Localism Act includes provisions to make regulations which will require a meaningful proportion of these funds to be passed to neighbourhoods where the development has taken place.

New Homes Bonus scheme

The New Homes Bonus Scheme provides cash for areas that allow new homes to be built in their area. Government funding has been set aside for local councils that welcome new housing development, which they can spend to benefit their local community.

Under the scheme the Government matches the council tax raised from new homes for the first six years through the New Homes Bonus. Councils and communities work together to decide how to spend the extra funding - whether council tax discounts for local residents, boosting frontline services like rubbish collection or providing local facilities like swimming pools and leisure centres.

[Watch the Government video to find out what neighbourhood planning could mean for you](#) from key figures in the local government, voluntary and charity sectors.

You can also view the full text of the Localism Act and explanatory notes.

<http://services.parliament.uk/Acts/2010-11/localism.html>

A plain English guide to the Act is also available.

<http://www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate>

Notes taken by the Parish Council Clerk at a meeting of a working group considering developing a Neighbourhood Plan – 24th November 2015 at Taplow Village Hall at 7.30pm

Present: Graham Winwright (SBDC); George Sandy, Roger Worthington and the Clerk (Parish Council) Charlie Greeves (HTS) and Heather Fenn

Apologies: Mary Trevallion, Martin Maund and Martin Knight.

1 Minutes of last meeting on 5th March 2015

Mr. Winwright (GW) had not seen these but wished to clarify that he had not recommended any course of action. He had said that he considered the Local Plan currently being created by SBDC would enable local councils to include their aspirations in it. He hadn't recommended that Taplow Parish Council (TPC) did not go ahead with their Neighbourhood Plan but had commented that it might be out of date and might not conform to the Local plan if it preceded it.

George Sandy noted that TPC had backed off as a result of that March meeting but was now concerned that Taplow was particularly vulnerable as a result of Crossrail etc .

2 Local Plan

GW explained that the main planning policies were contained in the Core Strategy, the Local Plan and any Neighbourhood Plans developed. If there was a conflict the most recent of these documents would take precedence. He said the Local Plan and any Neighbourhood Plan were to be regarded as vehicles for growth and any Neighbourhood Plan that tried to stop development would fail. His advice now was that TPC should work with the Local Plan development to get local measures into the Local Plan. SBDC might be persuaded to add measures it might not otherwise have thought of.

Things had changed since March. It had been agreed that Chiltern and SBDC should undertake a joint Local Plan. As a result of that and new Government deadlines the timetable had been brought forward. The new timetable was that the consultation process would take place in January or February 2016 with preferred options being formulated by October/November. May 2017 was the key date for formal adoption. The Issues and Options document would put forward all reasonable options even though SBDC would have no intention of proceeding with some of them

3 Procedure to develop a Neighbourhood Plan

3.1 Taplow must be declared to be a Neighbourhood Area. TPC should apply on a form obtained from SBDC with a letter providing a plan of the neighbourhood area to be declared (could be parish boundary); a statement as to why it should be so declared and a statement declaring TPC to be a relevant body. GW can help advise as to the wording used. TPC could do this at any time with no obligation to proceed further.

3.2 SBDC will check the application made and undertake a consultation – advertising as soon as is reasonable and providing for a 4 week consultation and decision within 8 weeks. It is unlikely such an application would be refused. The decision is taken at officer not cabinet level.

3.3 Becoming a Neighbourhood Area allows TPC to produce a Neighbourhood Plan or apply for a Neighbourhood Development Order (ie planning permission granted for a specific area with an unallocated number of houses to be determined by the Neighbourhood Plan – risk is if NP fails then will allow developers to do what they want).

3.4 TPC must then enter consultations and submit the Plan with a statement of the consultations undertaken and a statement that the basic conditions are met (see 4 below)

3.5 SBDC will consult again for 6 weeks and if any representations are made (almost bound to be) then SBDC appoint an Independent Examiner who will make recommendations to SBDC

- 3.6 SBDC must consider the recommendations and consult further on the ones it does not agree with
- 3.7 SBDC must organise a referendum on the Plan. It would need the support of 50% of those voting. Even if adopted it can still be subject to legal challenge

4 Basic Conditions

- 4.1 That full regard has been had to National policies ie NPPF and National Planning Practise Guidance. SBDC can help advise on this and GW accepted it contained conflicting aims
- 4.2 That it contributes to the achievement of sustainable development (ie scale is important)
- 4.3 That it is in general conformity with the Development Plan (ie whichever Local Plan is in force at time)
- 4.4 That it does not breach EU regulations (might need strategic environment impact assessment if so)
- 4.5 Meets the prescribed conditions of the Secretary of State (none at moment)

5 Housing Need

GS enquired how the Local Plan impacted on Slough/ RBWM developments. GW explained that a key issue was how the Housing Markets were defined. South Bucks formed a Housing Market Area with four Berks authorities. Berks are trying to divide this up into East and West areas. SBDC is under an obligation to deliver housing need in its district but also in the Housing Market area. Berks are in a mess and the result of SBDC and Chiltern joining together means that they can define their own Housing Market Area in a way to get the best fit. The housing needs (not including elderly care beds – 2000 needed in SBDC) set at 2014 are:-

SBDC	7800
Chiltern	7300
Sough	20000
Maidenehad	15000
Wycombe	15100
Aylesbury	21300 (they are saying can build 10K more which SBDC would have first call on)

6 Other parishes

GW said that Iver had applied to be a Neighbourhood Area but no other parishes in SB were known to be pursuing this route. He was worried residents would get confused if TPC tried to run its development of the Neighbourhood Plan alongside the development of the Local Plan.

7 Factors to be given weight in developing Local Plan

Re sustainability GW said Green belt would have to be released. Roger Worthington (RW) felt that Taplow was vulnerable given that it would have a Crossrail station with Green Belt around it. He felt that Taplow’s population was already increasing by 50% with recent developments in pipeline and would any consideration be given to these social strains. GW said environmental social and economic factors were all taken into account. Charlie Greeves asked about affordable housing. GW said this just meant it was on offer at less than market value which given the high prices in the area did not mean they would be affordable in practice. Even starter home schemes with 20% reduction in prices could be prohibitive. Some 15 hectares of Employment land also needed to be provided for. If employment land is lost to non employment uses then more land would be needed for this which increased pressure on the Green Belt. He added that the housing needs of London were the ‘elephant in the room.’

8 Timescales

The first draft of the Local Plan consultation document would be available in mid December this year. If the Local Plan identified opportunities for development around Taplow then TPC might want to accelerate its plans for a Neighbourhood Plan. It will need commitment and momentum. Help from SBDC and grants may be available. If grants are available the information will be on the DCLG website. SBDC will be able to apply for grants too. Although SBDC are obliged to assist. nothing will be allowed to deflect SBDC staff from giving priority to the Local Plan development

9 Community Infrastructure Levy

GW explained that if SBDC adopted the CIL in its Local Plan then parishes will get 15% of that levy . If a parish had a Neighbourhood Plan then it would get 25%. The money was not to be ring fenced although SBDC were obliged to work with parishes as to how to spend it.

10 Conclusion

GS said that he was disappointed that highways infrastructure could not be given more weight before any more development could take place in Taplow as the roads were already gridlocked. He felt it was important that TPC needed to be positive and clear as to what development was acceptable and what areas needed to be protected. The approach would be to shadow the Local Plan development closely and decide what to do at a later stage. A consultation had already taken place on survey monkey with over 40 responses but future consultations would require leafletting every parishioner.

Meeting ended at 9pm