

WINDLESHAM NEIGHBOURHOOD PLAN 2018-2028

DECISION STATEMENT (PROCEEDING TO REFERENDUM)

Published pursuant to Regulation 18 of the Neighbourhood Planning (General) Regulations 2012

1 SUMMARY

- 1.1** Following an independent Examination, Surrey Heath Borough Council is satisfied that the Windlesham Neighbourhood Plan 2018-2028, as modified, complies with the legal requirements and basic conditions set out in legislation¹. The Plan can therefore proceed to referendum.
- 1.2** A referendum will be held on 2 May 2019.

2 BACKGROUND

- 2.1** On 14th October 2014, Windlesham Parish Council requested that, in accordance with Regulation 5(1) of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”), the Windlesham Ward of Windlesham Parish be designated as a neighbourhood area, for which a Neighbourhood Development Plan would be prepared.
- 2.2** On 27th January 2015 Surrey Heath Borough Council formally approved that the Windlesham Neighbourhood Area (i.e. the land within Windlesham Ward) be designated, in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.3** Windlesham Parish Council – the ‘qualifying body’, submitted the draft Windlesham Neighbourhood Plan, along with supporting documents, to Surrey Heath Borough Council on 15th February 2018 in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.
- 2.4** Following submission of the draft Windlesham Neighbourhood Plan, Surrey Heath Borough Council publicised the Plan and supporting documents and invited representations over a 6 week period from Friday 6th April to Friday 18th May 2018, in accordance with Regulation 16.
- 2.5** Surrey Heath Borough Council appointed an independent examiner, Deborah McCann BSc MRICS MRTPI Dip Arch Con Dip LD, to examine the Plan and consider

¹ Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011

whether it should proceed to referendum. The Examination took place over November and December 2018.

- 2.6** The Examiner's Report was received in December 2018. This concluded the draft Windlesham Neighbourhood Plan met the Basic Conditions and should proceed to referendum, subject to the modifications set out in the report (see Appendix 1). The Examiner also recommended that the Plan Area is the appropriate location for which to hold the referendum.
- 2.7** In accordance with legislation², Surrey Heath Borough Council must consider each of the recommendations made in the Examiner's Report, decide what action to take in response to each recommendation and what modifications should be made to the draft Plan in order to be satisfied that it meets the Basic Conditions, is compatible with Convention Rights and complies with the definition of a neighbourhood development plan and its provisions. If the authority is satisfied, then a referendum must be held. Consideration also needs to be given as to whether to extend the area to which the referendum is to take place.

3 DECISION AND REASONS

- 3.1** Having considered the Examiner's recommendations and reasons for them, the Council concurs with the Examiner's view and has decided to make modifications to the draft Windlesham Neighbourhood Plan to ensure that it meets legal requirements including the Basic Conditions as set out in legislation. Appendix 1 documents these modifications, together with the reasons for them.
- 3.2** The Council is satisfied that the Neighbourhood Plan, as modified, complies with the legal requirements including the Basin Conditions, and can proceed to referendum.
- 3.3** The Council also agrees with the Examiner that the referendum area should reflect the extent of the current³ geographical area of the Windlesham Ward of Windlesham Parish.
- 3.4** This Decision Statement is published to confirm that the Windlesham Neighbourhood Plan should proceed to referendum. A referendum will be held in the parish of Windlesham. The date on which the referendum will take place is agreed as 2 May 2019.

² Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011

³ Windlesham Ward as defined in January 2019

APPENDIX 1 - EXAMINER'S RECOMMENDATIONS AND LOCAL AUTHORITY'S RESPONSE (REGULATION 18(1))

Modifications to the draft Windlesham Neighbourhood Plan (December 2018) in response to the Examiner's recommendations

Section and Policy in draft Windlesham Neighbourhood Plan	Examiners Report Page Reference	Examiner's Recommendation	Reason Given by Examiner	SHBC Actions
Housing and Potential Housing Sites WNP1.3 - Replacement of Large Houses by Smaller Dwellings	Page 21	Modify policy wording as follows: Planning applications for the replacement or subdivision of large houses in large plots in the Green Belt, with a small number of priority dwellings <u>will be supported where they are consistent with the National Policy for Green Belts, where</u> in a manner which ensures that the openness of the Green Belt within the WNP area is safeguarded and Windlesham's heritage assets are conserved in a manner appropriate to their significance.	The policy as currently worded does not have sufficient regard for National Policy, in relation to the Green Belt.	Accepted
New Development standards WNP1.4 – Planning Design and Access Statement	Page 22	Delete policy.	This is a planning procedural issue covered by national and local standards and not a land use policy.	Accepted
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Policy No WNP1.5 - Statement of Community Consultation			policy.	
<p>Vehicle Parking</p> <p>WNP4.2 – New Residential Developments Parking Space Standards</p>	Page 27	<p>Modify policy wording as follows:</p> <p>Car parking for New residential development households should, where space permits provide sufficient space parking spaces within the boundaries of the development for:</p> <ul style="list-style-type: none"> • A minimum of 2 vehicles for 1 and 2-bedroom dwellings; and • A minimum of 3 vehicles for 3+ bedroom or larger dwellings. 	<p>This policy is not consistent with the Surrey County Council Vehicular and cycle parking standards document. Whilst it is accepted that rural areas are reliant on the private car and therefore car ownership levels are often higher in rural areas than more densely developed urban areas the imposition of a minimum parking requirement across all types of residential development- including affordable housing can have an impact upon the viability, deliverability and appearance of a proposed development. For clarity and in order to meet the Basic Conditions the policy should be modified.</p>	Accepted