

Neighbourhood Plan Submission Compliance Checklist

Neighbourhood Plan	Englefield Green Village Neighbourhood Plan (EGV NP)
The Qualifying Body	Englefield Green Village Neighbourhood Forum (EGV NF)
Date of Submission	22 nd February 2023

Note: The statutory criteria for Neighbourhood Plans are set out in the Town and Country Planning Act 1990 (the Act) (as amended), the Planning and Compulsory Purchase Act 2004 (P&CPA), and the Neighbourhood Planning (General) Regulations 2012 (as amended).

Requirements and relevant legislation and/or guidance	Local Planning Authority comments	Legally compliant?
<p>Neighbourhood Planning (General) Regulations 2012 (as amended) – Regulation 15 requirements:</p> <p><i>A qualifying body is required to submit: (a) A map or statement which identifies the area to which the proposed neighbourhood development plan relates</i></p>	<p>A map identifying the neighbourhood plan area has been submitted with the plan proposals (titled 'Appendix A: Proposed Englefield Green Village Neighbourhood Area' - which was subsequently designated on 13 November 2019).</p>	YES
<p><i>(b) A consultation statement;</i></p> <p>(the statement must contain details of (a) those consulted, (b) how they were consulted, (c) summarises the main issues and concerns raised and (d) how these have been considered, and where relevant addressed in the proposed Neighbourhood Plan – Regulation 15 (2) Neighbourhood Planning (General) Regulations 2012).</p>	<p>(a) A Consultation Statement accompanies the submission EGV NP. The Consultation Statement describes various consultation methods and includes details of statutory consultees and other residents, businesses and landowners that were consulted.</p> <p>These include:</p> <ul style="list-style-type: none"> • Runnymede Borough Council • Surrey County Council (SCC) Spatial Planning Team • Royal Borough of Windsor and Maidenhead Council • Spelthorne Borough Council • Surrey Heath Borough Council • Old Windsor Parish Council • The Coal Authority 	YES

	<ul style="list-style-type: none"> • Homes England (previously the Homes and Communities Agency) • Natural England • The Environment Agency • Historic England • Network Rail • National Highways (previously the Highways Agency / Highways England) • National Grid and Southern Electric • Surrey Heartlands CCG (now Surrey Heartlands ICB) • Southern Gas Networks • Thames Water • Affinity Water • Crown Estate and its agents • Royal Holloway University of London • National Trust • Surrey Wildlife Trust • Woodlands Trust • Virginia Water Neighbourhood Forum • Egham Residents' Association • Various other voluntary bodies operating in, or whose activities benefit, Englefield Village Green Neighbourhood Area • Various other bodies which represent the interests of different groups and persons in the Neighbourhood Area • Various local businesses. <p>It also indicates that all households in the designated area, all members of Englefield Green Village Residents' Association and Neighbourhood Forum, members of local social media sites, and local schools and churches were consulted.</p>	
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	<p>(b) how interested parties were consulted is set out, including via an initial inaugural meeting and subsequent committee meetings, questionnaires, open events and attendance at village fairs, through the establishment of the EGV NF website, social media posts, using publicity/event boards, flyers, emails, local newsletters/leaflets that were sent to all householders in the designated area, and publication of Forum meeting outcomes on the EGV NF website. The Statement describes how consultation with key stakeholders was conducted, including through meetings and/or correspondence with Council officers; households being considered for the proposed Non-Designated Heritage Assets list; schools with play fields being considered for proposed Local Green Space designation; the National Trust; and Royal Holloway University of London (including to reach its student population). During the earlier stages of plan preparation, the Covid-19 pandemic restricted face-to-face events and engagement, and the Consultation Statement sets out how the Forum sought to strengthen communications with stakeholders during this early time of plan preparation through electronic consultation methods. These restrictions did not affect the Forum's ability to later meet its statutory duties to publicise the draft EGV NP under Regulation 14.</p> <p>(c) The Tables of Responses to Regulation 14 consultation signposted in Appendix 4 acts to summarise the main issues and concerns raised as part of the formal consultation. Various other sections of the Statement summarise issues/concerns raised by other local stakeholders such as residents and businesses.</p> <p>(d) The Table in Appendix 4 sets out how the pre-submission consultation representations have been considered – and how</p>	
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	they have been addressed, where relevant, in the submission EGV NP.	
<i>(c) The proposed neighbourhood development plan;</i>	The Local Planning Authority received the submission EGV NP on 22 nd February 2023. It was accompanied by a map identifying the area to which the proposed neighbourhood plan relates; a Consultation Statement, a Basic Conditions Statement, and an SEA/HRA Screening Report (including determination and statement of reasons) as required by the Neighbourhood Planning (General) Regulations 2012 (as amended).	YES
<p><i>(d) A statement explaining how the proposed neighbourhood development plan meets the ‘basic conditions’, i.e. the requirements of paragraph 8 of Schedule 4B to the 1990 Act.</i></p> <p>The local planning authority has to be satisfied that a basic conditions statement has been submitted but it is not required at this stage to consider whether the draft plan or order meets the basic conditions. (PPG - Paragraph: 053 Reference ID: 41-053-20140306)</p>	<p>A Basic Conditions Statement accompanies the submission EGV NP.</p> <p>The statement demonstrates how EGV NF considers that each of the Basic Conditions have been met.</p>	YES
<p><i>e) Environmental Report / Determination Statement</i></p> <p>The Plan needs to be submitted with one of the following: i) an environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the environmental Assessment of Plans and Programmes Regulations 2004; or ii) where it has been determined under regulation 9(1) of those Regulations that the plan proposal is unlikely to have significant environmental effects (and therefore doesn’t require an environmental assessment) a statement of reasons for the determination.</p> <p>In terms of consultation, the ‘consultation bodies’ (EA, NE and HE) must have been consulted at scoping stage (for 5 weeks). There is no requirement for public consultation on the screening</p>	The Council conducted a screening assessment on a pre-submission draft of the EGV NP dated June 2022, and consulted with the consultation bodies on the draft screening determination and statement of reasons for the minimum five week period (from 24 th June – 29 th July 2022). Drawing on feedback from the statutory consultees, the Council subsequently determined that the EGV NP is unlikely to have significant environmental effects and thus does not require a Strategic Environmental Assessment (SEA). The Council also determined that the EGV NP will not give rise to significant effects on National Network sites either alone or in-combination with other plans and/or projects, so it was considered that a full appropriate assessment was not required.	YES

determination statement. The statement will be made available for consultation need to be subject to public consultation for 6 weeks. The draft Environmental Report must be made available at the same time as the draft plan, as an integral part of the consultation process, and the relationship between the two documents clearly indicated. (See A Practical Guide to the SEA Directive, ODPM – 2005)	EGV NF have submitted the Council's SEA/HRA Screening Report alongside the plan proposals. The report contains a determination and statement of reasons for the determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004.	
The draft neighbourhood Plan should be checked to ensure it is not a 'repeat' proposal. If so, the LPA can decline to consider the plan (1990 Act Schedule 4B Paragraph 5 and Regulation 18).	The Submission Neighbourhood Plan is not a repeat proposal.	YES
The body submitting the neighbourhood plan is authorised to act (2004 P & CP Act as amended by Localism Act 2011 Section 38 A (2) and 1990 Act schedule 4B as it applies- 61F (2)).	The qualifying body is The Englefield Village Green Neighbourhood Forum (EVG NF). The Neighbourhood Forum and Area were designated on 13 November 2019, and the Forum is therefore considered 'authorised to act'.	YES
The plan proposal must comply with other relevant provisions made under Section 61F.	The Neighbourhood Area was designated on 13 November 2019 following a six week consultation period.	YES
<p>The pre-submission publication requirements need to have been satisfied. Before submission to the LPA the qualifying body should:</p> <ol style="list-style-type: none"> 1. publicise (but this does not have to be on a website) in a way that is likely to bring to the attention of people who live work or carry on business in the area details of: <ol style="list-style-type: none"> a. the proposals b. when and where they can be inspected c. how to make representations, and d. the deadline for making representations – not less than 6 weeks from first publicised. 	<p>The Consultation Statement demonstrates that these requirements have been satisfied:</p> <p>The pre-submission EGV NP has complied with the Regulations - this is evidenced in the Consultation Statement which accompanies the submission of the EGV NP. It shows that the pre-submission version of the EGV NP was publicised via a variety of means. Examples of consultation publicity can be found in Appendix 3 of the Consultation Statement.</p> <p>The plan was available to view online at the EGV NF website at: https://egvplan.org.uk/, and in hard copy at various locations across the Neighbourhood Area. This was made clear in the publicity material. The publicity material also described how representations could be made, and the deadline for making representations. The consultation period was initially 12th</p>	YES

<p>2. consult any consultation body whose interests they consider may be affected by the proposals for a NDP (please see Appendix A below).</p> <p>3. send a copy of the NDP to the LPA.</p> <p>(Regulation 14 of the Neighbourhood Planning (General) Regulations 2012).</p>	<p>September 2022 to 23rd October 2022, but the deadline was extended to 6th November 2022 after a delay to sending out emails/letters to some consultees, to ensure that those consultees had the requisite period of time to respond. The extended deadline was made clear in further emails and letters, an 'extended to' sticker on banners, revised flyers, and via local social media platforms, as detailed in the Consultation Statement.</p> <p>2. The Consultation Statement (pp36-37) describes who the Forum consulted in accordance with Regulation 14, and a separate spreadsheet was submitted to the Council providing a full list of consultees. This included the Consultation Bodies identified in Schedule 1 of the Neighbourhood Planning (General) Regulations 2012 (as amended), and other non-statutory consultees such as the National Trust and other interested landowners. These are also detailed in the second row of this checklist.</p> <p>3. A copy of the pre-submission EGV NP was provided to the Council at the start of the pre-submission consultation.</p>	
<p>The Conservation of Habitats and Species Regulations 2017 Regulations 105 and 106 : <i>A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable them to determine whether that assessment is required.</i></p>	<p>EGV NF requested an HRA screening assessment on 30th May 2022, and provided a draft version of the EGV NP dated June 2022, including all proposed planning policies. This included all the necessary information that the Council required for the purposes of conducting an HRA screening assessment and determining whether a full appropriate assessment was required. The final determination was issued on 17 February 2023, having consulted the statutory consultees in accordance with the Conservation of Habitats and Species Regulations.</p>	YES
<p>Meets the definition of a 'neighbourhood development plan':</p>	<p>The submission EGV NP meets the definition of 'neighbourhood development plan'.</p>	YES

<p>“A plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan”</p> <p>(2004 P & CP Act as amended by Localism Act 2011 Section 38 A (2))</p>		
<p>Meets the scope of neighbourhood plan provisions, i.e. specifies the period for which it covers, does not include provision about development that is ‘excluded development’ (as set out in section 61K of the 1990 Act) and does not relate to more than one neighbourhood area.</p> <p>(2004 Act s 38B (1, 2) (4))</p>	<p>The submission EGV NP specifies that it covers the period 2022-2030.</p> <p>The submission EGV NP does not contain policies relating to ‘excluded development’¹.</p> <p>The submission EGV NP only relates to the Englefield Green Village Neighbourhood Area.</p> <p>These points are reiterated in the Basic Conditions Statement submitted with the plan proposals.</p>	YES

Date of Assessment	23 February 2023
Name of Assessing Officer	Stephanie Broadley

¹ Meaning of “excluded development”

The following development is excluded development for the purposes of section 61J—

- (a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
- (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
- (c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),
- (d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),
- (e) prescribed development or development of a prescribed description, and
- (f) development in a prescribed area or an area of a prescribed description.

Appendix A – Consultation Bodies

The Neighbourhood Planning (General) Regulations 2012 Schedule 1 Consultation bodies that the Parish Council or Neighbourhood Forum should consult (at pre-submission stage):

- In a London Borough, the Mayor of London
- A local planning authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority
- The Coal Authority
- The Homes and Communities Agency [now known as Homes England]
- Natural England
- The Environment Agency
- Historic England
- Network Rail Infrastructure Limited
- A strategic highways company any part of whose area is in or adjoins the neighbourhood area [National Highways for Runnymede Borough's strategic highways]
- The Marine Management Organisation
- Any person to whom the electronic communications code applies, or who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority
- The Integrated Care Board and National Health Service Commissioning Board where they exercise functions in any part of the neighbourhood area
- Licensee under the Electricity Act 1989, Licensee of the Gas Act 1986, sewerage undertaker and water undertaker
- Voluntary bodies some of all of whose activities benefit all or part of the neighbourhood area
- Bodies representing the interests of different racial, ethnic or national groups in the neighbourhood area
- Bodies representing the interests of different religious groups in the neighbourhood area
- Bodies representing the interests of persons carrying on business in the neighbourhood area; and
- Bodies representing the interests of disabled people in the neighbourhood area.