

## Neighbourhood Plan Submission Compliance Checklist

<b>Neighbourhood Plan</b>	Thorpe Neighbourhood Plan (TNP)
<b>The Qualifying Body</b>	Thorpe Neighbourhood Forum (TNF)
<b>Date of Submission</b>	26 June 2020

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).

<b>Requirements and relevant legislation and/or guidance</b>	<b>Local Planning Authority comments</b>	<b>Legally compliant?</b>
<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 can be found in Plan A (page 6) of the introduction section of the submission Thorpe Neighbourhood Plan (TNP).</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 TNP. The Consultation Statement includes details of statutory consultees and interested land owners that were consulted.</p> <p>These include:</p> <ul style="list-style-type: none"> <li>• Historic England</li> <li>• Tarmac</li> <li>• Surrey County Council (SCC) Spatial Planning</li> <li>• Cemex</li> <li>• Simco Homes</li> <li>• SCC Historic Environmental Planning</li> <li>• Natural England</li> <li>• Thames Water</li> <li>• Highways Agency</li> </ul>	YES

	<ul style="list-style-type: none"> <li>• Environment Agency</li> <li>• SCC Flood risk</li> <li>• Sport England</li> <li>• Runnymede Access Liaison Group</li> <li>• Thorpe Park</li> <li>• Homes England</li> <li>• Royal Borough of Windsor and Maidenhead</li> </ul> <p>It also indicates that all households in the designated area, all members of Thorpe Ward Residents Association, Thorpe Post Office, Thorpe C of E Primary School, Thorpe Nursery, St Mary's Church and the Red Lion Public House were consulted.</p> <p>(b) how interested parties were consulted is set out, including via an initial inaugural meeting, questionnaires, open events, through the establishment of the TNF website, using publicity/event boards, flyers, emails, local newsletters that were sent to all householders in the designated area, meetings with developers, Council officers, Surrey County Council officers and the Examiner for the Council's Local Plan, publication of Forum meetings on the TNF website and regulatory stage updates on the Council's Neighbourhood Plan webpage.</p> <p>(c) a summary of the main issues and concerns raised as a result of the pre-submission consultation are contained in the Consultation Statement. The core submission document summarises how the representations have been considered and addressed in the proposed TNP. Reference to this can be found in section 3, pages 8-9 of the Consultation Statement.</p> <p>(d) The pre-submission consultation representations can be found in Appendix 11 (of the Consultation Statement). This appendix also details the response to each representation</p>	
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	received and how they have been considered in the submission version of the Plan.	
<i>(c) The proposed neighbourhood development plan;</i>	The Local Planning Authority received the Submission Neighbourhood Plan on 26 June 2020. It was accompanied by a Basic Conditions Statement, Consultation Statement, evidence of compliance with European Environmental legislation, as required by the Neighbourhood Planning (General) Regulations 2012 i.e. the Sustainability Appraisal and the Strategic Environmental Assessment and Habitats Regulations Assessment (HRA).	YES
<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>  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)	A Basic Conditions Statement accompanies the submission TNP.  The statement clearly demonstrates how TNF considers that each of the Basic Conditions have been met.	YES
<i>e) Environmental Assessment;</i>  The Plan needs to be submitted with one of the following a) a statement of reasons for a determination under regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 that the proposal is unlikely to have significant environmental effects OR b) an environmental report in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 ((Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.)	Given the scope of the TNP, the Council agreed with the TNF that a Strategic Environmental Assessment (SEA) would be necessary in accordance with the Environmental Assessment of Plans & Programmes Regulations 2004. The TNF therefore followed the statutory SEA process and undertook this as part of a wider Sustainability Appraisal (SA).  The TNP SEA Scoping Report was consulted on during the period 19 March to 23 April 2019 with the three statutory consultation bodies as required by regulation 12 of the	YES

<p>If an Environmental Report is required, then this needs to have been subject to the required level of consultation and should comply with the government’s SEA guidance.</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 scoping report. The draft Environmental Report on the pre-submission neighbourhood plan will 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)</p>	<p>Environmental Assessment of Plans and Programmes Regulations 2004.</p> <p>The SA on the pre-submission neighbourhood plan was made available for comment as part of the 6 week consultation on the pre- submission TNP as an integral part of the consultation process. The relationship between the two documents was clearly indicated in the pre submission TNP.</p> <p>The final version of the SA/SEA report has been revised by the TNF to take account of the comments received during the pre-submission consultation (regulation 14), and the options and ‘reasonable alternatives’ reviewed based on the updated flood mapping from the Environment Agency. The Final SA Report is published alongside this submission version of the Neighbourhood Plan and forms one of the core documents.</p> <p>The Consultation Statement describes the overall process of formal and informal consultations carried out during the process of plan making. The consultation responses received on the draft SA report and the draft TNP are included in Appendix 10 of this document (dated February 2020).</p>	
<p>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).</p>	<p>The Submission Neighbourhood Plan is not a repeat proposal.</p>	<p>YES</p>
<p>The body submitting the neighbourhood plan is authorised to act (2004 P &amp; CP Act as amended by Localism Act 2011 Section 38 A (2) and 1990 Act schedule 4B as it applies- 61F (2)).</p>	<p>The qualifying body is The Thorpe Neighbourhood Forum (TNF). The Neighbourhood Forum and Area were designated on 24 August 2016.</p>	<p>YES</p>

<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"> <li>1. publicise (but this does not have to be on a web site) 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"> <li>a. the proposals</li> <li>b. when and where they can be inspected</li> <li>c. how to make representations, and</li> <li>d. the deadline for making representations – not less than 6 weeks from first publicised.</li> </ol> </li> <li>2. consult any consultation body whose interests they consider may be affected by the proposals for a NDP (please see Appendix A below).</li> <li>3. send a copy of the NDP to the LPA.</li> </ol> <p>(Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.</p>	<p>The Consultation Statement demonstrates that these requirements have been satisfied:</p> <ol style="list-style-type: none"> <li>1. pre submission Plan has complied with the regulations; this is evidenced in the Consultation Statement which accompanies the submission of the TNP. It shows that the pre submission version of the TNP was publicised via a variety of means. Examples of consultation publicity can be found in Section 3 of the Consultation Statement. The plan was available to view online at the TNF website at <a href="https://www.thorpeforum.org.uk/">https://www.thorpeforum.org.uk/</a></li> </ol> <p>The publicity material also explained how representations could be made and the address and website to be used. The consultation lasted for 6 weeks and ran from 8 November-20 December 2019.</p> <ol style="list-style-type: none"> <li>2. Appendix 8 includes of the Consultation Statement contains a list of the statutory consultees and interested land owners and the Consultation Statement page 7 details the non-statutory consultees who were consulted as part of the pre-submission consultation. These are also detailed in the second row of this check list.</li> <li>3. A copy of the pre-submission Neighbourhood Plan was provided to the Council at the start of the pre-submission consultation.</li> </ol>	<p>YES</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</i></p>	<p>The Council confirmed that the Neighbourhood Plan would require a Habitats Regulations Assessment (HRA) to be completed due to the potential impact of the proposed policies on European designated sites in proximity to Thorpe. This has been undertaken in accordance with the Conservation of</p>	<p>YES</p>

<p><i>or to enable them to determine whether that assessment is required.</i></p>	<p>Habitats and Species Regulations 2010 (as amended). The HRA has been submitted with the TNP.</p> <p>The TNP HRA applies the Runnymede Local Plan HRA conclusions as these are of most relevance in respect to the issue of recreational pressure to the South West London Waterbodies Special Protection Areas (SPA) and Ramsar and Special Areas of Conservation (SAC) from increased residential development within Thorpe Village.</p>	
<p>Meets the definition of a 'neighbourhood development plan':</p> <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 &amp; CP Act as amended by Localism Act 2011 Section 38 A (2))</p>	<p>The submission Neighbourhood Plan meets the definition of 'neighbourhood development plan'.</p>	<p>YES</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</p>	<p>The Submission Neighbourhood Plan specifies that it covers the period 2015-2030.</p> <p>The Submission Neighbourhood Plan does not contain policies relating to 'excluded development'<sup>1</sup>.</p>	<p>YES</p>

<sup>1</sup> **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,

section 61K of the 1990 Act) and does not relate to more than one neighbourhood area. (2004 Act s 38B (1, 2) (4))	It does not relate to more than the neighbourhood area.	
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<b>Date of Assessment</b>	6 June 2020
<b>Name of Assessing Officer</b>	Sukhpreet Khull

Where the draft neighbourhood plan submitted to a Local Planning Authority meets the requirements in the legislation, the Local Planning Authority must publicise the neighbourhood plan for a minimum of 6 weeks, invite comments, notify any consultation body referred to in the consultation statement and send the draft neighbourhood plan to independent examination (see regulations 16, 17, 23 and 24 of the Neighbourhood Planning (General) Regulations 2012 (as amended), PPG - Paragraph: 054 Reference ID: 41-054-20140306).

Following examination, the Council will determine whether or not the plan is ready for a public referendum or if further modifications are required (Schedule 4B of the Town and Country Planning Act 1990 (as varied by s38A & 38C of the Town and Country Planning Act)). Please note that all references to primary and secondary legislation are to those enactments as amended.

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(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 LPA, county council or parish council any part of whose area is in or adjoins the area of the LPA
- The Coal Authority
- The Homes and Communities Agency
- Natural England
- The Environment Agency
- Historic England
- Network Rail Infrastructure Limited
- The Highways Agency (now known as Highways England)
- 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 LPA
- Where they exist a Primary Care Trust, licensee under the Electricity Act 1989, Licensee of the Gas Act 1986, sewerage undertaker and water undertaker
- Voluntary bodies 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 and
- Bodies representing the interests of disabled people in the neighbourhood area.