DECISION SHEET **ACTION BY**

24. Charvil Neighbourhood Plan Director, Place and Growth - Giorgio Framalicco

DECISION

RESOLVED that the Executive:

1) approved a 6 week consultation on the submission draft Charvil Neighbourhood Plan; and

2) agreed to appoint an examiner to independently examine the submission draft Charvil Neighbourhood Plan, delegating the appointment and submission of the submission draft Plan and supporting documents to the Director of Place and Growth in consultation with the Leader of the Council and Executive Member for Housing, Partnerships and the Local Plan.

Reason for Decision
Charvil Parish Council has led the preparation of a draft Neighbourhood Development Plan to help shape how development is managed in the parish. Regulations governing neighbourhood planning require the submission of a draft Plan to the council, as the local planning authority, and for the council to publish the plan for consultation and arrange for its independent examination.

This report seeks the approval of Executive to publish the submission draft plan and procure an independent examiner who will review whether it meets necessary requirements, and in so doing consider all representations made.

Alternative options considered and rejected at time of the decision
None.

Any Conflict of interest declared by any Executive Member
None.

Any dispensation granted by the Head of Paid Service in respect of any declared conflict of interest
Not applicable.

TITLE	**Charvil Neighbourhood Plan**
FOR CONSIDERATION BY	The Executive on Thursday, 24 July 2025
WARD	Thames;
LEAD OFFICER	Director, Place and Growth - Giorgio Framalicco
LEAD MEMBER	Leader of the Council and Executive Councillor for Housing, Partnerships and the Local Plan - Stephen Conway

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

Charvil Parish Council has led the preparation of a draft Neighbourhood Development Plan to help shape how development is managed in the parish. Regulations governing neighbourhood planning require the submission of a draft Plan to the council, as the local planning authority, and for the council to publish the plan for consultation and arrange for its independent examination.

This report seeks the approval of Executive to publish the submission draft plan and procure an independent examiner who will review whether it meets necessary requirements, and in so doing consider all representations made.

RECOMMENDATION

That the Executive:

1) approve a 6 week consultation on the submission draft Charvil Neighbourhood Plan; and

2) agrees to appoint an examiner to independently examine the submission draft Charvil Neighbourhood Plan, delegating the appointment and submission of the submission draft Plan and supporting documents to the Director of Place and Growth in consultation with the Leader of the Council and Executive Member for Housing, Partnerships and the Local Plan.

EXECUTIVE SUMMARY

Charvil Parish Council have prepared a draft Neighbourhood Development Plan which, if progressed to being made (adopted), will sit alongside those planning policies prepared by the council in local plans, and so help to shape how new development is managed in their area.

The submission draft Plan contains a number of policies on issues including community facilities; affordable housing and mix; design; the natural and historic environment; and sustainable construction. It does not include any site allocations for development, however seven areas are proposed for designation as Local Green Space.

In accordance with the regulations governing neighbourhood planning, the council is required to publish the submission draft plan for a minimum of six-weeks (known as a Regulation 16[1] consultation) and invite representations, provided it is satisfied that legal process has been carried out. Concurrent with the publication of the submission draft plan, the council is required to appoint an examiner to undertake independent examination.

This report recommends that Executive approve the draft Plan for consultation and the process of appointing an examiner.

Officers have been actively engaged with the parish council since the start of their process and are satisfied that the legal process has been followed and that any matters the council may wish to make on the submission draft plan are appropriate for representations and capable of being considered by the examiner through the examination process. Whether the council wishes to make representations will be considered through a future Individual Executive Member Decision process.

Subject to the approval of Executive, it is recommended that the submission draft plan is published for consultation towards the end of August or the beginning of September, avoiding the school holiday period in accordance with best practice. The submission draft plan and supporting documents would be made available in accordance with the council's Statement of Community Involvement[2].

The costs of undertaking publishing the submission draft plan and the examination can be met from the existing neighbourhood planning reserve. In due course the council's costs can be recovered from grant funding from government.

For clarity, any post examination processes and programmes will be subject to a further decision of the Council's Executive and Council.

Upon being 'made' (adopted), the parish council will benefit from receipt of 25% of the revenues from the Community Infrastructure Levy arising from the development that takes place in their area thereafter. This reflects a 10% increase on the 15% available to parish councils where there is no neighbourhood plan in place.

[1] Of the Neighbourhood Planning (General) Regulations 2012 (as amended)
[2] Which can be viewed on the Council's website: https://www.wokingham.gov.uk/planning-policy/emerging-plans-and-guidance/statement-community-involvement

BACKGROUND

Neighbourhood Planning

Neighbourhood planning was introduced through the Localism Act 2011 and is a means for local communities to take the lead on preparing local planning policy, to sit alongside those planning policies prepared by the council in local plans, and so help to shape how new development is managed in their area.

Neighbourhood Development Plans (often referred to as Neighbourhood Plans) set out specific planning policies to help shape and guide development in their area.

The broad stages in producing a neighbourhood plan are as follows:

1) Designating a neighbourhood area.
2) Preparing a draft neighbourhood plan.
3) Pre-submission publicity and consultation.
4) Submission of a neighbourhood plan to the local planning authority.
5) Publication of the submission draft neighbourhood plan consultation.
6) Independent examination.
7) Referendum.
8) Bringing the neighbourhood plan into force.

Charvil Parish Council took the decision to prepare a neighbourhood plan - the Charvil Neighbourhood Plan (the Plan). Since that decision, the parish council have completed stages 1-4.

The regulations governing neighbourhood plans require subsequent stages to be led by the council as the local planning authority. This report seeks approval to undertake stages 5 and 6: the publication of the submission draft plan for consultation and subsequently its independent examination.

Charvil Neighbourhood Plan progress to date

Charvil Parish Council began work on producing a neighbourhood plan in 2020. The parish council undertook a consultation on their pre-submission draft Plan in March to April 2025.

The parish council has subsequently considered the representations made in response and has made a number of amendments as a result. The parish council subsequently submitted the submission draft plan to the council (Appendix A) and a range of supporting documents, including:

- Charvil Design Guidelines and Codes Report, March 2024 (Appendix B) (available on request).
- Charvil Consultation Report, May 2025 (Appendix C) (available on request).
- Basic Conditions Statement, May 2025 (Appendix D) (available on request).

The submission draft Plan contains a number of policies on issues including community facilities; affordable housing and mix; design; the natural and historic environment; and sustainable construction. It does not include any site allocations for development, however seven areas are proposed for designation as Local Green Space.

The Design Guidelines and Codes report, produced by AECOM, identifies the key and distinctive features of Charvil Parish and sets out some guiding principles to help ensure that any future development proposals respond to and contribute to the local character and distinctiveness of the area.

Analysis of Issues

Whilst the early stages in the preparation of a neighbourhood plan are led by the parish council as the responsible body, the regulations governing neighbourhood plans requires the later stages to be led by the council as the local planning authority.

Following the submission of the draft plan by the parish council, the council is required to publish it and supporting documents for a minimum of six-weeks (known as a Regulation 16[3] consultation) and invite representations, provided it is satisfied that legal process has been carried out. Concurrent with the publication of the submission draft plan, the council is required to appoint an examiner to undertake independent examination.

This report recommends that Executive approve the submission draft plan for consultation and the process of appointing an examiner.

Officers have been actively engaged with the parish council since the start of their process and are satisfied that the legal process has been followed and that any matters the council may wish to make on the submission draft plan are appropriate for representations and capable of being considered by the examiner through the examination process. Whether the council wishes to make representations will be considered through a future Individual Executive Member Decision process.

The appointment of an examiner would be undertaken in partnership with the parish council, using portals such as the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). The examiner's role will be to test whether or not the submission draft plan meets the basic conditions[4], and other matters set out in regulations[5]. In reaching their conclusion, the examiner will consider all representations received in response to the submission draft plan.

Consultation

Subject to the approval of Executive, it is recommended that the submission draft plan is published for consultation towards the end of August or the beginning of September, avoiding the school holiday period in accordance with best practice. The submission draft plan and supporting documents would be made available in accordance with the council's Statement of Community Involvement[6].

Future steps

[3] Of the Neighbourhood Planning (General) Regulations 2012 (as amended)
[4] As can be seen at: https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum
[5] paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended)
[6] Which can be viewed on the Council's website: https://www.wokingham.gov.uk/planning-policy/emerging-plans-and-guidance/statement-community-involvement

The examination process will be led by the appointed examiner. Typically it will take place via written representations without the need for a public hearing. Where additional points of clarity are required by the examiner, this will be requested in writing to the parish council or the council as appropriate. Any correspondence will be published on the council's website. Should it prove necessary, the examiners may hold hearing sessions to assist their consideration of specific issues.

The examiner will provide a written report of their examination. Where considered necessary, the examiner will recommendation modifications to the submission draft plan in order for it to satisfy the basic conditions. The examiner will conclude by advising whether the submission draft plan (as modified) should proceed to a referendum.

Following receipt of the report, the council will need to consider the recommendations and decide what action to take. This includes coming to a formal view on whether the submission draft plan meets the basic conditions and whether to accept or not the examiner's recommended modifications. If the council agrees the submission draft plan (as modified) meets the basic conditions, it will be responsible for arranging and holding the referendum on whether it should be 'made' (adopted) and used alongside the wider development plan as the starting point for determining planning applications and appeals. Should more than half of those voting in a referendum do so in favour of making (adopting) the plan, the council is required to do so.

If made (adopted) the Charvil Neighbourhood Plan would become part of the development plan alongside the council's local plans and so form part of the starting point for deciding planning applications and appeals within Charvil parish.

For clarity, any post examination processes and programmes will be subject to a further decision of the Executive and Council. As set out in this report, the current recommendations relate solely to publishing the submission draft plan for consultation and the appointment of an examiner to undertake the required examination.

BUSINESS CASE

Need for the decision

In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the council must publish the submission draft Plan and invite representations for a minimum six-week period. It must also arrange for an independent examination to take place. The current recommendation facilitates the council carrying out its legal duties.

Alternative options

There is no alternative option that could be considered for taking the submission draft plan forward to being made (adoption).

Risks

No risks are apparent to progressing the submission draft plan to consultation and examination.

With regard to future stages beyond the scope of this report, the main risk is whether the submission draft Plan will be found through the examination process to meet the basic conditions. This risk is considered to be low with council officers having been actively engaged with the parish council throughout its preparation. Some issues raised by officers have been addressed through the drafting process. Outstanding issues are appropriate to be considered through the examination process.

Expected outcome

The outcome of recommendation to Executive is that a successful consultation is carried out in accordance with legal requirements and that the submission draft plan proceeds to examination.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£5,000 to £8,500 (estimate). The cost of the examination is dependent on the amount of hours the examiner requires and whether formal hearing sessions are required. The estimate is based on the five previous neighbourhood plan examinations conducted in the borough.	Yes. The estimated cost can be covered by the neighbourhood planning reserve. Cost to the reserve can be recovered through grant funding from government once referendum has been scheduled.	Revenue
Next Financial Year (Year 2)	£10,000 (estimated) This reflects the cost of referendum should the plan be progressed. This is subject to a	Yes. The estimated cost can be covered by the neighbourhood planning reserve. Cost to the reserve can be recovered	Revenue

	future decision of Executive). The estimate is based on the five previous neighbourhood plan referendum conducted in the borough.	through grant funding from government once referendum has been scheduled.	
Following Financial Year (Year 3)	No additional cost with the project expected to have completed.	Not applicable.	Not applicable.

Other Financial Information

Whilst actions relating to the recommendation of this report can be met by existing revenue budget, and in due course the council will be required to hold a referendum on whether the Charvil Neighbourhood Plan should be adopted, once a referendum is successfully arranged the council can obtain grant funding from government of £20,000 which is expected to fully cover the costs.

Once a neighbourhood plan is made (adopted), the parish council will benefit from receipt of 25% of the revenues from the Community Infrastructure Levy arising from the development that takes place in their area. This reflects a 10% increase on the 15% available to parish councils where there is no neighbourhood plan in place.

Legal Implications arising from the Recommendation(s)

Any future adoption of the Neighbourhood Development Plan following consultation and examination is a matter reserved to full council.

If the submission from Charvil Parish Council includes all the mandatory documents set out at Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 then the council must:

I. As soon as possible publicise the prescribed details set out in Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 and notify any consultation body which is referred to in the submitted consultation statement; and,
II. Submit the Neighbourhood Development Plan for independent examination.

As well as complying with the requirements of the Neighbourhood Planning (General) Regulations 2012 and the council's Statement of Community Involvement any consultation needs to adhere to the general principles of being adequate and fair.

Any further legal implications are covered within the body of the report.

Stakeholder Considerations and Consultation

Consultation to be carried out for minimum 6 weeks in accordance with the council's Statement of Community Involvement. Further details are set out in main body of the report.

Public Sector Equality Duty
An Equalities Impact Screening Report Form is set out in Appendix E to the report.

Climate Emergency – *This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030*
The submission draft plan includes a range of policies which provide additional detail to complement policies in the Core Strategy (2010) and Managing Development Delivery (MDD) local plans. Specific policies include environmental standards for residential development, protecting and enhancing existing green infrastructure assets, and encouraging the use of sustainable transport modes.

Reasons for considering the report in Closed Session
Not applicable.

List of Background Papers
Appendix A: Charvil Submission Draft Neighbourhood Plan, May 2025. Appendix B: Charvil Design Guidelines and Codes Report, March 2024 (available on request). Appendix C: Charvil Consultation Report, May 2025 (available on request). Appendix D: Basic Conditions Statement, May 2025 (available on request). Other supporting documents are also available on request.

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