

The Link, Christmas 2022

Datchet Neighbourhood Plan copy

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The route to referendum

Alison Crampin outlines the next stages for Datchet's Neighbourhood Plan

It's been a year of public consultations for the Datchet Neighbourhood Plan (DNP). First the eight-week 'Regulation 14' consultation in spring, where we invited you to comment on the DNP's content, and then the six-week 'Regulation 16' consultation in autumn, conducted by the Royal Borough of Windsor and Maidenhead (RBWM), to check that the proper process had been followed and that the DNP complies with relevant legislation and policy. Very many thanks if you responded to either or both consultations.

The DNP is now in the hands of RBWM which must follow the lengthy procedures laid out in the government's Neighbourhood Planning regulations:

1. The examination

RBWM has engaged an independent examiner to review the draft DNP, supporting documentation and consultation responses. His examination will take about eight working days, spread out over a few weeks, during which he may request further information from RBWM and the DNP team. In some cases, a public hearing is called, particularly if a plan includes contentious proposals, but it is not anticipated that this will happen in Datchet's case. We hope that the examination will be completed by Christmas.

2. Modifications

The examiner's report may recommend modifications which will be discussed by RBWM and the DNP team. A decision on these recommendations should be made within five weeks and details of any agreed changes publicised by RBWM.

3. Decision to proceed to referendum

RBWM's cabinet, the main executive decision-making body of the Council, must then decide whether the DNP should proceed to referendum. As agenda items must be submitted 4-5 weeks in advance of these monthly meetings, this could delay its progress. To avoid this, it is possible that the planning department could request devolved powers to proceed.

4. The referendum

The referendum will give us all the opportunity to vote, yes or no, on whether we would like RBWM to use the DNP to help it decide planning applications in our parish.

RBWM's elections unit must arrange the referendum which should take place within 56 days of the cabinet's decision to proceed. Funds to cover the costs can be claimed from central government. RBWM must also publish information about the DNP 28 working days before the referendum and give 25 working days' notice that the referendum is taking place and the date of the poll. Anyone residing within the parish who is eligible to vote in local elections may vote and the polling station will be situated in the village.

During the run-up to the referendum, the DNP team will publish and distribute leaflets about the Plan and put up posters and banners encouraging residents to vote.

5. Local elections

The DNP team is currently unable to estimate when the referendum might be held. Its progress could be further delayed by the local borough and parish elections on 4 May 2023. According to Neighbourhood Planning regulations, where another election is to be held within 28 days of the proposed referendum, they may be combined 'if the returning officers and counting officer think fit'. There is evidence

that holding a referendum on the same day as other elections boosts turnout, but there is a risk that the DNP will be perceived, incorrectly, as being political.

6. Coming into force

If more than 50 per cent of those voting in the referendum vote 'yes', then the DNP will come into force immediately as part of the statutory Local Development Plan and its policies must be taken into account when deciding planning applications. It must also be adopted by RBWM within eight weeks unless there is a legal challenge.



Suggested caption: At the referendum, we will be able to vote on whether the DNP should be used to help decide planning applications in our parish

THIS IS YOUR PLAN

The DNP's policies have been designed to address the planning issues you raised and are supported by detailed evidence. Their purpose is to help ensure that growth within the Parish is sustainable, meeting local needs without compromising the natural and historic environment, friendly atmosphere and community spirit of the whole village. For these reasons, the DNP team is keen to ensure that the Plan is in place as soon as possible so that our local community can have more influence over the way our area develops. When the plan is in force, Datchet Parish Council will also be eligible for 25% of the Community Infrastructure Levy which is charged on new, qualifying development in the parish. Currently it receives 15% so having a Plan will result in a 66% increase in funds to spend in the village.

NEW DEVELOPMENT AT LONDON ROAD

We are often asked whether the DNP can stop the development of the site (AL39) between London Road and the M4. The simple answer is 'no'. Although our plan does not promote any specific development sites, the land was allocated for new housing in the Borough Local Plan (BLP) and a Neighbourhood Plan cannot promote less development than the BLP. However, it can consider topics which are part of the local authority's planning process, helping to guide development within our neighbourhood area and seeking to address the challenges that face the community. It must have regard to national and borough policy and its scope is also framed by such things as Flood Zone, Green Belt and Conservation Area designations.

Although this land is allocated for development in the BLP, the planning application will not be rubber-stamped. The planning proposals must still comply with national, local and neighbourhood policies and demonstrate that development will not increase the risk of flooding. And there still had to be a neighbourhood consultation period, which closed on 9 November, during which residents could submit comments on those proposals. Even before the referendum, the DNP will carry some weight and developers will have to take its policies into account.



Suggested caption: *New development: the proposed site layout for AL39 at London Road and Riding Court Road*

More information

The Datchet Neighbourhood Plan, consultation statement and supporting evidence can be found at www.datchetneighbourhoodplan.org

