



## Contents

1. Introduction .....	3
2. Background.....	3
3. Conformity with National Planning Policy .....	5
4. Table A: Neighbourhood Plan NPPF Conformity Summary .....	6
5. Contribution to Achieving Sustainable Development.....	8
6. Table B: Neighbourhood Plan Sustainable Development Summary.....	8
7. General Conformity with the Strategic Policies of the Development Plan .....	9
8. Table C: Neighbourhood Plan Conformity Summary .....	10
9. Compatibility with EU Legislation .....	11
10. APPENDIX A - Strategic Environmental Assessment Screening Opinion Letters .....	12

## 1. Introduction

- 1.1. This statement has been prepared by Bray Parish Neighbourhood Plan Steering Group on behalf of Bray Parish Council to accompany the Parish Council submission to the local planning authority, the Royal Borough of Windsor & Maidenhead (“RBWM”) of the Bray Parish Neighbourhood Plan (“the Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).
- 1.2. The Neighbourhood Plan is being submitted by Bray Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Bray as designated by RBWM in December 2012.
- 1.3. The policies described in the Plan relate only to the development and the use of land in the designated Neighbourhood Area. The period of the Plan is from 2016 to 2030. It does not contain policies relating to excluded development in accordance with the Regulations.
- 1.4. This Statement addresses each of the four ‘basic conditions’ required of the Regulations and explains how the submitted Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.
- 1.5. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
  - Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
  - The making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.

## 2. Background

- 2.1. The Parish Council commenced preparation of the Neighbourhood Plan in 2011. The key drivers of that decision were the encouragement of the RBWM

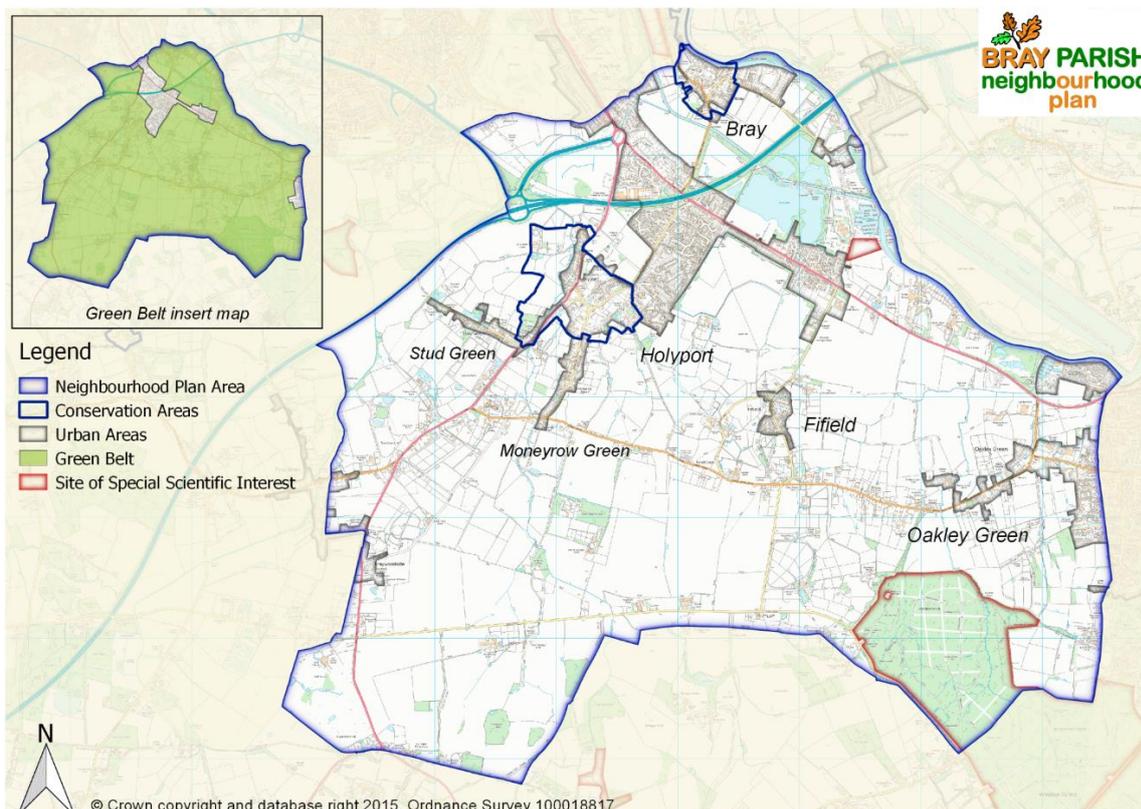
to parishes to prepare Neighbourhood Plans and the keenness of Bray Parish Council to take advantage of the new opportunity for the Residents to have more input into determining future planning applications.

2.2. The Neighbourhood Plan Steering Group comprising volunteers and Parish Councillors was formed very early after the launch of the NP process and before any Regulations were published. The Steering Group was subsequently appointed by Bray Parish Council to prepare the Plan on its behalf.

2.3. The Steering Group has worked closely with RBWM planning officers during the preparation of the Plan. The current Borough Local Plan was adopted in 2003, and RBWM is in the process of preparing a new Local Plan. This new Plan will take forward strategic policies from 2003 and will also provide an up to date housing supply strategy but to date no details of this new Local Plan have been made available to the Steering Group or Bray Parish Council.

2.4. The current Local Plan contains a variety of policies relevant to Parishes and the general conformity of the Plan with those policies is detailed in Section 5 below.

## 2.5. Map of Neighbourhood Plan Area



- 2.6. The Plan contains a small number of land use policies and some non-statutory proposals that are included for the completeness. The Steering Group sought to avoid proposing policies that might duplicate Local Plan policies that are already used in determining future planning applications but some are minor refinements of those policies to reflect the distinct characteristics of the Parishes.
- 2.7. They have also been mindful that the whole area lies within the Metropolitan Green Belt, and the Neighbourhood Plan is not able to contain proposals to release land from the Green Belt or to otherwise amend its boundaries (which can only be the role of the Local Plan).
- 2.8. In making a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning, the Plan allows for the examination to focus on the requirement of the policies to meet the Basic Conditions but also allows the local community to see the Plan proposals in the round.

### 3. Conformity with National Planning Policy

- 3.1. The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.
- 3.2. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Plan has directly responded:
- 3.3. Para 16: Bray Parish Council believes the Plan positively manages and supports the small incremental development needs of the area by guiding development to previously developed land in the Green Belt, thereby sustaining the special landscape and heritage character of the area. It also seeks to protect and enhance open spaces, precious local gaps and key views, as well as valued community, commercial and employment uses that benefit the parish. In these respects, the Plan is very much in line with the provisions of the Local Plan.
- 3.4. Para 183: The Plan establishes a clear vision for Bray Parish that reflects the view of the majority of the local community. It has sought to translate the vision

into a series of meaningful planning policies to plan for protecting the essential rural character of the area and to determine future planning applications as part of the Plan.

3.5. Para 184: The Parish Council believe the Plan, as is highlighted below, is in general conformity with all the relevant policies of the Local Plan. It is considered to strike a balance between the physical and policy constraints of the parish and the requirement to meet local housing demand, albeit with very modest provisions.

3.6. Para 185: The Plan tries to translate the general requirements of the Local Plan into a local context. Once made, the Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.7. Set out in Table A below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

#### 4. Table A: Neighbourhood Plan NPPF Conformity Summary

<b>Table A: Neighbourhood Plan NPPF Conformity Summary</b>			
<b>Policy Ref.</b>	<b>Policy Title</b>	<b>NPPF Ref</b>	<b>Commentary</b>
BNP-GG1	Bray Green Gap	79,80,81,8 2,82,84,85, 86,87,88,8 9,90,91,18 3,184,185	Green Belt land is 94.7% of the Bray Parish. The BPNP's primary imperative is to safeguard the Green Belt by ensuring that all future developments do not encroach into the Green Belt. In particular the area of Green Belt that effectively separates the urban areas of Windsor and Maidenhead is central to the plan's development ethos which recognises that normal planning controls and restrictions need to be enhanced and rigorously implemented.
BNP-BE1	Development Brief & Statement of Community Consultation	14,49,47,1 5,16,55,56, 57,58,66,1 58,159,160 ,165,166,1 67,169,170 ,173,174,1 76,183,184 ,185	For any proposed developments of more than 5 dwellings on sites of 0.25 hectares or more the developer(s) will be required to submit a full development brief outlining all potential impacts to RBWM Planning Dept and work closely with then Parish Council to ensure that every opportunity to enhance their proposals are harvested together with all risks or detrimental impacts are mitigated.

BNP- BE2	Single Dwelling – Housing Assessment Criteria	49,47,15,1 6,55,56,57, 58,66,158, 159,160,16 5,166,167, 169,170,17 3,174,176	To maintain and enhance the character of the villages in Bray Parish proposals for new build single dwellings or extensions to existing properties need to ensure they complement the character and style of the existing buildings and the surrounding location and does not adversely impact the visual amenity or create noise for near neighbours.
BNP- BE3	Multiple Dwellings - Housing Assessment Criteria	49,47,15,1 6,55,56,57, 58,66,158, 159,160,16 5,166,167, 169,170,17 3,174,176	Recent experience of how the local community responds to proposed new housing developments have clearly shown that new proposals must ensure that they comply with current Green Belt rules and that there are strong Parish and community benefits that are widely supported by the local community. In addition they must demonstrate that they complement the existing buildings. Increasingly our children cannot afford to live in the Parish so adequate provision for low cost housing will be an imperative.
BNP- BE4	Traffic Assessment	14,17,29,3 0,32,34,35, 36,39,41,1 83,184,185	Peak hour traffic congestion is considered by residents as second only in importance to conserving the Green Belt. New housing exacerbates this and new housing development proposals will be required to demonstrate the impact they may have on existing traffic flows.
BNP- BE5	Building Line	55,57,58,5 9,60,64,65, 66	New houses and extension to existing properties must comply with the existing building line and current building regulations.
BNP- BE6	Small Business	16,17,21,2 8,42,43,44, 45,89,90,9 1,160,	Small businesses thrive in the Parish and it is key to the Parish and the Borough's economies that they should continue to find it easy to start and grow. Therefore, the Plan supports sustainable growth of business in urban and rural areas and promotes diversification of agricultural businesses or other rural based businesses.
BNP- BE7	Large Business	17,21, 26,27, 24,28,42,4 3,44,45,89, 90,91,160,	Large businesses also do well in the Parish and make significant contributions to the Parish and Borough's economies and employment goals. Large businesses can adversely impact the transport issues in the Parish and the Plan seeks to partner with these large organisations to ensure the transport issues are mitigated or minimised through effective programmes to encourage the use of public transport.
BNP- BE8	Extension to existing and garden buildings	55,56,57,5 859,60,61, 62,63,64,	Existing garden buildings in the Parish can often offer opportunities for substantial development. The Plan provides guidelines for these developments.
BNP- BE9	Street Furniture, Advertising and Utility Infrastructure	67,68	The parish is criss-crossed by a network of country lanes, even the two major arterial roads crossing the parish are single lane and in part subject to a 7.5 ton limitation. Street signage, hoardings and electronic displays all have important functions to perform but this needs to be accomplished without them becoming a dangerous distraction or an eyesore. The plan seeks to establish planning guidelines to achieve this balance.

## 5. Contribution to Achieving Sustainable Development

5.1. In the absence of a formal Sustainability Appraisal or Strategic Environmental Assessment (See Section 6 below), an assessment of the contribution that each policy makes to the goal of achieving sustainable development is provided in Table B below.

5.2. In overall terms, the assessment shows that every policy makes at least one positive contribution and none will have a negative sustainability impact. This is perhaps unsurprising, given that the Neighbourhood Area is highly constrained and there has been no appetite from the local community to wish to change the character or role of the Parish and their villages.

## 6. Table B: Neighbourhood Plan Sustainable Development Summary

<b>Table B: Neighbourhood Plan Sustainable Development Summary</b>					
<b>Policy Ref.</b>	<b>Policy Title</b>	<b>Soc</b>	<b>Eco</b>	<b>Env</b>	<b>Commentary</b>
BNP-GG1	Bray Green Gap	+	0	+	This policy will have positive effects on the environment by identifying the gap between major urban areas which will be protected by national legislation. This protected environment will deliver social and environmental benefits.
BNP-BE1	Development Brief & Statement of Community Consultation	+	0	+	The inclusion of a Development Brief and Statement of Community Consultation will involve residents in any development bringing both social and environmental benefits from development.
BNP-BE2	Single Dwelling – Housing Assessment Criteria	+	0	0	This policy has positive social benefits from defining the criteria on which new housing development should be assessed.
BNP-BE3	Multiple Dwellings - Housing	+	0	0	This policy has positive social benefits from defining the criteria on which new housing development should be assessed.

	Assessment Criteria				
BNP-BE4	Traffic Assessment	+	0	+	The policy delivers social and environmental benefits through ensuring that traffic issues are addressed and that developments are sustainable through integration into the cycle and footpath network.
BNP-BE5	Building Line	0	0	+	This policy ensures that the environment can be sustained.
BNP-BE6	Small Business	+	+	0	This policy seeks to expand the opportunities for small businesses in a sustainable manner giving social and economic benefits.
BNP-BE7	Large Business	+	+	0	This policy seeks to expand the opportunities for large businesses in a sustainable manner giving social and economic benefits.
BNP-BE8	Extension to existing and garden buildings	+	0	+	This policy has positive social and environmental benefits from managing this type of development in a sustainable fashion.
BNP-BE9	Street Furniture, Advertising and Utility Infrastructure	0	0	+	Environmental benefits derive from ensuring that new developments are in keeping with the existing environment.

## 7. General Conformity with the Strategic Policies of the Development Plan

7.1. The Plan has been prepared to ensure its general conformity with the strategic policies of the development plan of RBWM. As described above, the development plan comprises the relevant policies of the adopted Local Plan of 2003, but the Parish Councils have also been mindful of the emerging replacement Local Plan.

7.2. The adopted Local Plan contains a series of policies covering all land use and development matters in the Borough. Not all of its policies have been saved for development management purposes and no distinction has been made on which policies are regarded as strategic. For completeness, the analysis here considers those policies that are considered to be the most relevant framework for the Neighbourhood Plan. Where helpful, it also highlights any relevant

policy intentions of the new Local Plan, the last iteration of which was published by the Royal Borough as the Preferred Options Consultation in January 2014. In practice, it is noted that there are few material differences between the adopted and emerging Local Plans as they affect this parish.

7.3. The analysis in Table C below summarises the general conformity of the Neighbourhood Plan policies with the most relevant Local Plan policies.

## 8. Table C: Neighbourhood Plan Conformity Summary

<b>Table C: Neighbourhood Plan Conformity Summary</b>		
<b>Policy Ref.</b>	<b>Policy Title</b>	<b>Commentary</b>
BNP-GG1	Bray Green Gap	This policy is entirely consistent with RBWM Local Plan Policies GB1, GB2, GB3 and N1.
BNP-BE1	Development Brief & Statement of Community Consultation	This policy is partly consistent with RBWM Local Plan policy GB9. Our experience is that a Development Brief can only be properly prepared based on full Community Consultation.
BNP-BE2	Single Dwelling – Housing Assessment Criteria	This policy is consistent with RBWM Local Plan Policies GB3, GB4 and GB8.
BNP-BE3	Multiple Dwellings - Housing Assessment Criteria	This policy is generally conformant with RBWM Local Plan Policies GB3, GB4 and GB8 and seeks to enshrine the principle of Community Benefits as referred to in RBWM Local Plan Policy H5.
BNP-BE4	Traffic Assessment	This policy is consistent with RBWM Local Plan Transportation and Movement in particular it supports the use of public transport and adequate parking spaces whilst encouraging cyclists and pedestrians.
BNP-BE5	Building Line	This policy is consistent with and supports RBWM Local Plan Policy H11.
BNP-BE6	Small Business	This policy is generally conformant with RBWM Local Plan Policy E6.
BNP-BE7	Large Business	This policy is consistent with RBWM Local Plan Policies E1, E2 as it applies to Prior's Way Industrial Estate, E3, E4 and E6.
BNP-BE8	Extension to existing and garden buildings	This policy is consistent with RBWM Local Plan Policy GB2.
BNP-BE9	Street Furniture, Advertising and Utility Infrastructure	This policy is generally conformant with RBWM Local Plan Policy ADV1.

## 9. Compatibility with EU Legislation

9.1. RBWM has provided a screening opinion on whether or not a Strategic Environmental Assessment (SEA) was required of the Neighbourhood Plan in accordance with regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. In an email of 28 November 2014, the planning officer stated:

“All three statutory consultees (Natural England, Environment Agency and English Heritage) have now confirmed that they agree with the conclusion that an SEA is not required for the neighbourhood plan. I therefore confirm the council’s initial opinion that a Strategic Environment Assessment is not required for the Bray Parish Neighbourhood Plan. This is based on the understanding that the NP will not allocate sites for development. Should this position change, the agencies will need to be re-consulted and it is possible that they may come to a different conclusion.”

9.2. This conclusion confirmed that the policies are unlikely to have any significant environmental effects and an SEA was not necessary. There have been no material changes to the scope and intent of the Plan since that time. Copies of the statutory body responses are attached to this statement as Appendix A as the statement of reasons for this determination, in line with PPG paragraph 11-031 and as required by Regulation 9(1).

9.3. The Plan has also had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

# 10. APPENDIX A - Strategic Environmental Assessment Screening Opinion Letters



Mr Phillip Gill  
Senior Planning Officer  
Royal Borough of Windsor and Maidenhead  
Town Hall  
St Ives Road  
Maidenhead, SL6 1RF

Our ref: HD/P6044/02/PC3  
Your ref:  
Telephone 01483 252040  
Fax

11<sup>th</sup> March 2015

Dear Mr Gill,

## Bray Neighbourhood Plan SEA Screening Opinion

Thank you for your e-mail of 1<sup>st</sup> December seeking the views of English Heritage on the Council's Bray Neighbourhood Plan Strategic Environmental Assessment Screening Opinion.

Based on the information in your Opinion, particularly that the Plan does not allocate sites for development, English Heritage agrees with your conclusion that the Bray Neighbourhood Development Plan is unlikely to lead to any significant environmental effects and that, therefore, an SEA is not required for the Plan. However, should the nature of the Plan change from that set out in your Opinion we should be informed as we may wish to review our position.

Although a formal SEA is not currently believed to be necessary, we would nevertheless suggest that the Plan is subject to a form of sustainability appraisal to assess and monitor the Plan's policies and proposals against a set of agreed objectives.

Thank you again for seeking the views of English Heritage on this Screening Opinion.

Yours sincerely,

*Martin Small*

Martin Small  
Principal Adviser, Historic Environment Planning  
(Bucks, Oxon, Berks, Hampshire, IOW, South Downs National Park and Chichester)

E-mail: [martin.small@english-heritage.org.uk](mailto:martin.small@english-heritage.org.uk)

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[www.english-heritage.org.uk](http://www.english-heritage.org.uk)  
Please note that English Heritage operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available



Date: 18 May 2015  
Our ref: 152511  
Your ref: HRA Screening Opinion: Bray Neighbourhood Plan

Phillip Gill  
Royal Borough of Windsor and Maidenhead  
Town Hall,  
St Ives Road,  
Maidenhead,  
SL6 1RF

BY EMAIL ONLY



Customer Services  
Hornbeam House  
Chew Business Park  
Eldon Way  
Chew  
Cheshire  
CW1 6GJ  
T 0300 960 3900

Dear Mr. Gill

Planning consultation: HRA Screening Opinion: Bray Neighbourhood Plan.  
Location: Bray Parish

Thank you for your consultation on the above dated 28 April 2015 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

### The Conservation of Species and Habitats Regulations 2010 (as amended)

#### Bray Neighbourhood Development Plan – Habitats Regulations Assessment (HRA) Screening Opinion

Natural England agrees with the conclusion of the HRA screening opinion of the Bray Neighbourhood Plan that the Plan can be screened out from further stages of assessment because significant effects on European sites are unlikely to occur as no development sites are proposed. Should the scope of the contents of the plan change, Natural England would wish to be re-consulted as our position may be reviewed.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Elise Batelaan on 07879 600864 or [elise.batelaan@naturalengland.org.uk](mailto:elise.batelaan@naturalengland.org.uk). For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Elise Batelaan  
Thames Valley Team  
Sustainable Development and Regulation

Page 1 of 1



Natural England is accredited to the Cabinet Office Service Excellence Standard

Dear Phil,

Based on the summary of the Neighbourhood Plan intentions below we support your conclusion that an SEA may not be required. If matters change please contact us again.

Kind regards,  
Jonathan

Jonathan Fleming  
Planning Advisor | Sustainable Places  
Environment Agency | West Thames Area  
Telephone: 01252 729618

Environment Agency  
Goldcrest House  
Alice Holt Lodge  
Farnham, Surrey  
GU10 4LH



Have your say on the draft updates to the river basin management plans and the draft flood risk management plans

[www.gov.uk/government/consultations/update-to-the-draft-river-basin-management-plans](http://www.gov.uk/government/consultations/update-to-the-draft-river-basin-management-plans)  
[www.gov.uk/government/consultations/draft-flood-risk-management-plans](http://www.gov.uk/government/consultations/draft-flood-risk-management-plans)