

Bracknell Town Neighbourhood Plan 2016-2036

Guidance Notes and Agenda for Public Hearing

Prepared by the Independent Examiner

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning Ltd

1. Following my initial consideration of the Plan, I have decided that a public hearing is required to assist my examination of this Neighbourhood Plan. I propose to hold a one day hearing. This will commence at **9.30am on Tuesday 14th May 2019** at Bracknell Town Council Offices, Brooke House, 54 High Street, Bracknell, RG12 1LL.
2. This Note provides guidance as to how the hearing will be conducted, and includes an agenda and questions.
3. According to the Localism Act, the general rule is that the examination of issues by the Examiner is to take the form of the consideration of written representations. However, the Act does allow the calling of a public hearing.
4. I have decided to hold the hearing so as to allow the further exploration of certain issues arising from my initial consideration of the plan and some of the representations made at the Regulation 16 Stage. The issues that I have asked to receive oral submissions on, were generally set out in the document "Initial Comments of the Independent Examiner" dated 1st April 2019. That note also raised seven questions set out in paragraphs 23 -29 that I said could be dealt with by way of written representations. These questions only need to be addressed by the Town Council and I would ask that they are sent direct to me by 5pm on Friday 10th May 2019. The responses should be placed on both websites.
5. I can assure all parties that I have considered, and will continue to consider, all the written representations submitted at the Regulation 16 stage and my report will cover all policies in the plan not just those topics that will be covered by the hearing.
6. The hearing is open to the public to attend; however, the conduct of a neighbourhood plan hearing is set out in Paragraph 9 of Schedule 10 of the Localism Act 2012 and that specifies the parties who can participate. The legislation specifically provides for oral representations at the hearing to be made by the Qualifying Body, namely Bracknell Town

7. It is not my intention to invite the participation of other parties to the hearing. I have no objections if any party wishes to film or record any part of the proceeding or to use social media.
8. Each party is requested to provide an Outline Written Statement in response to the questions I have asked of it. Not all questions will require responses from both parties. The Statements must be no longer than one side of A4 per relevant question – I suspect some can be dealt with in a matter of sentences. Participants are requested to use their Statement to outline their position in response to the specific questions raised. They will be useful in shaping the debate at the hearing. I would be grateful if the Town Council's Statements are submitted by email to development.plans@bracknell-forest.gov.uk before 12 noon on Friday 10th May 2019. Bracknell Forest Council can then forward both sets of documents to me. I will ask that the LPA's responses are shared at the same time with the Town Council. I would also be grateful if the LPA and the Town Council ensure that all statements are published on their respective websites and be available to be viewed from 9am on Monday 13th May 2019.
9. It is for the Examiner to decide how the hearing is conducted. In particular, I shall decide the nature and extent of any follow up questions, and the amount of time for oral representations. The principle to be applied, is that questioning will be done by myself, except where I feel that questioning by other parties should be allowed to ensure either adequate examination of a particular issue, or to ensure that a party has a fair chance to put their case. We will take a short break during the morning session and the afternoon session. I will have an adjournment for lunch at a suitable moment in the proceedings.

Agendas

10. The Agenda will generally be as follows:

- (1) **Opening remarks-** by myself as Examiner
- (2) **Opening statement** by Bracknell Town Council – I would like to offer the opportunity to the Qualifying Body to set out its overall approach to the neighbourhood plan.
- (3) **Discussion based on my individual questions:** These will look in turn at the questions 1 – 9 which I have attached to this and are based on the matters I raised in my Initial Comments paper.
- (4) **Examiners Closing Remarks**

Site visits

11. I have already carried out a two-day site visit to Bracknell. I consider that it will be highly unlikely that I will want to carry out further visits but that may be necessary depending on the discussions at the hearing. If required, I will confirm arrangements at the end of the hearing.
12. The purpose of any site visit is simply to identify matters which have already been presented in the representations. No further evidence will be given on site.

John Slater BA (Hons), DMS, MRTPI

John Slater Planning Ltd

17th April 2019

QUESTIONS FOR THE PUBLIC HEARING

Question 1

Does the way that the plan has been presented, meet the expectations of the Secretary of State, as set out in the Planning Practice Guidance that plans should be “as focussed, concise and accessible as possible”? Is all the evidence presented in the document relevant to the policies and specific to the plan area? Do the provisions of the plan only relate to land within the plan area? Can the way that the information is portrayed on maps be presented in a way that is “fit for purpose”, so that land covered by the specific policies can be identified?

Responses requested from the Town Council and Bracknell Forest Council

Question 2

What is the value of differentiating in policy terms, between land used for active and passive recreation as set out in Policies EV1 and EV2, which are almost identical. Alternatively, should there be a single policy for a combined open space category? How would the LPA be able to assess whether there is a “sufficient quantity of existing provision” as referred to in the second paragraph of the policy? Should any replacement open space be within the same vicinity or neighbourhood as the area from where it is lost?

Response requested by the Town Council

Question 3

Can the LPA elaborate on their concerns that the policies need to reflect the need as set out in the recent NPPF to be making efficient use of land, in terms of how and where open space is to be protected? What is the relationship between efficiency of land use and references made to “low quality amenity land” referred to in the Councils representation, as corporate landlord.

Response requested from Bracknell Forest Council

Question 4

Will the designation of the whole of Easthampstead Park and South Hill Park Arts Centre, including the buildings and their immediate curtilage, as Local Green Space preclude any development of these facilities and is there any inconsistency with Policy EV12?

Responses requested from both the Town Council and Bracknell Forest Council

Question 5

When considering the relocation of a lost community facility, should its replacement be within the vicinity of the area from which it is lost or can it be anywhere in the plan area?

Response requested from the Town Council

Question 6

Would the policy affecting air quality, Policy EV11, apply to all development or just development within or adjacent to the Air Quality Management Area? On what basis would a decision maker be able to decide whether a particular proposal met Policy EV11 or breached EU or UK legislative limits on air pollution?

Responses requested from the Town Council and Bracknell Forest Council

Question 7

To what extent do HMOs constitute a major issue in Bracknell Town if only 23 properties are registered and what role do HMOs play in meeting housing need in the town? How does their impact on an area differ from large Class C3 uses, where up to 6 persons can live together as a household? What is the rationale for treating a situation of 2 HMOs in a sequence of 20 properties as an “overconcentration” and how defensible is this in the context of the type of neighbourhoods found in Bracknell.

Responses requested from the Town Council and Bracknell Forest Council

Question 8

Does Policy H08 only relate to development within existing neighbourhoods or is it relevant to areas where new neighbourhoods are being formed as a result of that development?

Response requested from the Town Council

Question 9

Would there be benefits if the tree policies set out in Policies ECV 5, 6 and 7 were consolidated into a single tree policy?

Response requested from the Town Council and Bracknell Forest Council

Draft