

Individual Executive Member Decision

Bucklebury Vision - A Design Statement for the Parish of Bucklebury (2019)

Committee considering report: Individual Executive Member Decision

Date ID to be signed: 30 October 2019

Portfolio Member: Councillor Hilary Cole

Forward Plan Ref: ID3754

1. Purpose of the Report

- 1.1 To report on the formal public consultation undertaken on the refreshed Bucklebury Vision – A Design Statement for the Parish of Bucklebury and to consider its adoption as part of the community planning process.

2. Recommendation

- 2.1 To endorse and adopt the Bucklebury Vision - A Design Statement for the Parish of Bucklebury (2019) as outlined in Appendix D.

3. Implications

- 3.1 **Financial:** There are no direct financial implications at this stage.
- 3.2 **Policy:** Design Statements prepared as part of the community planning process in West Berkshire can influence the operation of the statutory planning system.
- 3.3 **Personnel:** There are no direct personnel implications at this stage.
- 3.4 **Legal:** There are no direct legal implications at this stage.
- 3.5 **Risk Management:** There are no direct risk management issues arising from this Design Statement.
- 3.6 **Property:** There are no specific property implications at this stage.
- 3.7 **Other:** N/A

4. Consultation Responses

Members:

Leader of Council: Councillor Lynne Doherty – no comments received

Overview & Scrutiny Management Commission Chairman: Councillor Alan Law – no comments received

Ward Members: Councillor Graham Pask – no comments received
Opposition Spokesperson: Councillor Alan Macro – no comments received
Councillor Carlyne Culver – no comments received

Local Stakeholders: Previously consulted during the preparation of the Design Statement – see Appendix C for responses

Officers Consulted: Previously consulted during the preparation of the Design Statement – see Appendix C for responses

Trade Union: N/A

5. Other options considered

- 5.1 No other options were considered as this was a review and refresh of the Bucklebury Vision - A Design Statement for the Parish of Bucklebury, originally adopted in 2002.

6. Introduction/Background

- 6.1 The Bucklebury Vision is a document describing the qualities and characteristics that local people value in the parish. It sets out clear and simple guidance for the design of all development in the parish. It cannot be used to stop new development, but it can be used to influence developers and the local planning authority, and to ensure that new buildings respect and reflect local character.
- 6.2 Such design statements are intended to influence the operation of the statutory planning system and this has worked well in West Berkshire in the past. The Council has actively encouraged the production of design statements and since 2001 seventeen Design Statements have been adopted by the Council.
- 6.3 Since June 2008 design statements achieve recognition through the community planning process rather than the statutory planning process, as previously. However, it does not mean that they are seen as any less important.
- 6.4 To ensure that design statements produced in this way are still accorded weight in the planning process, for example, by planning inspectors at appeals, it remains particularly important to show that they:
- have been produced in consultation with the local community and stakeholders, including statutory consultees;
 - conform with relevant development plan policies; and
 - have been adopted by the Council.
- 6.5 The following procedures are therefore being adopted by community groups in West Berkshire when preparing design statements:
- Stage 1**
Production of draft design statement by the design statement group with the involvement of a wide cross-section of the local community;
- Stage 2**
Officer agreement to final version of draft design statement;
- Stage 3**
Six week 'formal' consultation period where the design statement group consults with the local community and West Berkshire Council consult with relevant stakeholders & statutory consultees;
- Stage 4**
Amendments to the design statement made as appropriate;
- Stage 5**
Design statement group presents final design statement to the Council for adoption as an Individual Executive Member decision.
- 6.6 The review of the Bucklebury Vision has been carried out in accordance with this procedure.

7. Supporting Information

- 7.1 The Bucklebury Vision was originally adopted by West Berkshire Council in 2002, but has now been factually updated and revised by a Bucklebury Parish Council working party to reflect the situation in 2019. The review has resulted in updated text and graphics, as appropriate, to reflect the changes which have taken place within the parish since 2002. It is not considered that this review has fundamentally changed the original design statement but the changes, although minor, do provide a more up to date document.
- 7.2 Formal consultation on the draft design statement was undertaken by West Berkshire Council for a period of six weeks from 10 June to 22 July 2019. Officers consulted directly with a range of statutory agencies, national interest groups, adjacent parish councils and local interest groups. The document was also made available on the Council's website.
- 7.3 Overall, five formal consultation representations to the draft document were received. The consultation representations were positive and constructive. The Working Group has made amendments to the draft document in response to the consultation and as set out in Appendix C. A final version of the Bucklebury Vision (2019) is attached as Appendix D.

8. Conclusion

- 8.1 If the refreshed Bucklebury Vision is endorsed and adopted by West Berkshire Council it will replace the original 2002 design statement, provide detailed context for existing policies in the West Berkshire Local Plan and, where appropriate, will be used as a material consideration in the determination of planning applications.

Background Papers:

N/A

Subject to Call-In:

Yes: No:

Wards affected:

Bucklebury

Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priority:

GP2: Maintain a green district

Officer details:

Name: Paula Amorelli
Job Title: Principal Planning Officer
Tel No: 01635 519233
E-mail Address: paula.amorelli@westberks.gov.uk

9. Executive Summary

- 9.1 The Bucklebury Vision is a document describing the qualities and characteristics that local people value in the parish. It sets out clear and simple guidance for the design of all development in the parish. It cannot be used to stop new development, but it can be used to influence developers and the local planning authority, and to ensure that new buildings respect and reflect local character.
- 9.2 The Bucklebury Vision was originally adopted by West Berkshire Council in 2002, but has now been factually updated and revised by a Bucklebury Parish Council working party to reflect the situation in 2019. The review has resulted in updated text and graphics, as appropriate, to reflect the changes which have taken place within the parish since 2002. It is not considered that this review has fundamentally changed the original design statement but the changes, although minor, do provide a more up to date document.
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- 10.1 If the refreshed Bucklebury Vision is endorsed and adopted by West Berkshire Council it will replace the original 2002 design statement, provide detailed context for existing policies in the West Berkshire Local Plan and, where appropriate, will be used as a material consideration in the determination of planning applications.

11. Appendices

- 11.1 Appendix A – Data Protection Impact Assessment
- 11.2 Appendix B – Equalities Impact Assessment
- 11.3 Appendix C – Table of consultation representations and responses
- 11.4 Appendix D – Bucklebury Vision - A Design Statement for the Parish of Bucklebury (2019)

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Development and Planning
Team:	Planning Policy
Lead Officer:	Paula Amorelli
Title of Project/System:	Bucklebury Vision
Date of Assessment:	23 September 2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> x
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> x
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> x
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> x
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> x
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> x
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/> x

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To endorse and adopt the refreshed Bucklebury Vision - A Design Statement for the Parish of Bucklebury (2019) as outlined in Appendix D.
Summary of relevant legislation:	Design Statements prepared as part of the community planning process in West Berkshire can influence the operation of the statutory planning system
Does the proposed decision conflict with any of the Council’s key strategy priorities?	No
Name of assessor:	Paula Amorelli
Date of assessment:	23/09/19

Is this a:		Is this:	
Policy	No	New or proposed	Yes/
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	The purpose of the decision is to endorse and adopt the refreshed Bucklebury Vision - A Design Statement for the Parish of Bucklebury (2019).
Objectives:	The design statement describes the qualities and characteristics that local people value in the town and its surroundings.
Outcomes:	If endorsed and adopted by the Council the document will replace the original 2002 design statement, provide detailed context for existing policies in the West Berkshire Local Plan and, where appropriate, will be used as a material consideration in the determination of planning applications.
Benefits:	The design statement sets out clear and simple guidance for the design of all development within the parish.

2 Note which groups may be affected by the proposed decision. Consider how

<p>they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)</p>		
Group Affected	What might be the effect?	Information to support this
Age	No impact	N/A
Disability	No impact	N/A
Gender Reassignment	No impact	N/A
Marriage and Civil Partnership	No impact	N/A
Pregnancy and Maternity	No impact	N/A
Race	No impact	N/A
Religion or Belief	No impact	N/A
Sex	No impact	N/A
Sexual Orientation	No impact	N/A
<p>Further Comments relating to the item:</p> <p>Six week period of formal consultation was conducted on this item, seeking views from a range of statutory agencies, national interest groups, adjacent parish councils and local interest groups. The document was also made available on the Council's website.</p>		

<p>3 Result</p>	
<p>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</p>	<p>No</p>
<p>Please provide an explanation for your answer: The purpose of the decision is to endorse and adopt the refreshed Bucklebury Vision - A Design Statement for the Parish of Bucklebury (2019). The design statement describes the qualities and characteristics that local people value in the parish. The design statement sets out clear and simple guidance for the design of all development within the parish.</p>	
<p>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</p>	<p>No</p>
<p>Please provide an explanation for your answer: The purpose of the decision is to endorse and adopt the refreshed Bucklebury Vision - A Design Statement for the Parish of Bucklebury (2019). The design statement describes the qualities and characteristics that local people value in the parish. The design statement sets out clear and simple guidance for the design of all development within the parish.</p>	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	N/A
Timescale for Stage Two assessment:	N/A

Name: Paula Amorelli

Date: 23 September 2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.