

RURAL, ECONOMIC & ENVIRONMENTAL AFFAIRS

6th MARCH 2013

REPORT OF HEAD OF COMMUNITIES & NEIGHBOURHOODS

ASFORDBY NEIGHBOURHOOD PLAN

1. PURPOSE OF THE REPORT

- 1.0 To seek members approval on the designation of the Asfordby Neighbourhood Planning Boundary
- 1.1 Members delegate to the Head of Communities & Neighbourhoods to make future decisions in relation to Neighbourhood Planning and Neighbourhood Development Orders.

2. RECOMMENDATIONS

- 2.0 **The Committee is recommended to:**
 - **Note the content of this report and agrees to the designation of the Asfordby Neighbourhood Planning Boundary.**
 - **That the Head of Communities and Neighbourhoods be given delegation make future decisions in relation to Neighbourhood Planning and Neighbourhood Development Orders.**

3. KEY ISSUES/BACKGROUND

- 3.1 The Localism Act 2011 introduced new processes for communities to get involved in the planning of their areas through the preparation of neighbourhood plans and neighbourhood development orders. The powers came into force on the 1st April 2012 with the publication of the associated neighbourhood planning regulations.
- 3.2 A Neighbourhood Plan can set out where development will go and what development could look like in a particular area. An adopted neighbourhood plan will be used to help make decisions on planning applications received for the area covered. A Neighbourhood Plan will form part of the Planning Framework for the Borough and sit alongside the Core Strategy. Further information is provided in Appendix A.
- 3.3 The issue is whether or not the specified area is an 'appropriate area' to be designated as a Neighbourhood Area
 - (a) The designation of the Asfordby Neighbourhood Plan boundary would allow for Asfordby Parish Council to prepare a neighbourhood Plan
 - (b) This is the first application made to the Council as a local planning authority and so, in determining this application, the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas does not fall to be considered.
 - (c) The reason explaining why this specified area is considered appropriate are set out in the application for designation itself and the application for the designation has been publicised in accordance with Regulation 6 of The Neighbourhood Planning (General) Regulations 2012. (Appendix B)

- (d) The application for designation as a neighbourhood planning area was published for a 6 week public consultation period from the 4th July 2012 until 15th August 2012; no representations were received during this period.
- (e) The specified area comprises of the whole of the parish boundary. Including the strategic employment sites, it has therefore been asked that the parish council work very closely with the Borough Council in the preparation of policies that could potentially affect the future of the employment sites.

3.4 The neighbourhood planning process requires decisions to be made at various stages of the process, it is anticipated that further neighbourhood planning boundary applications will be submitted to the Borough Council for determination.

3.5 The Head of Communities & Neighbourhoods under the Councils Constitution has delegated powers to manage strategic inquires and policy development affecting the Borough as a whole, which potentially could deal with this [Neighbourhood Planning] request. However, to be sure, members of this committee are asked for approval for this application under the committee's delegated function 'To exercise the Council's powers and duties in relation to the promotion and improvement of the economic, social and environmental well-being of the area'.

3.6 To ensure that adequate provision is made to deal with any future decisions, members are asked to approve 'That the Head of Communities and Neighbourhoods be given delegation make future decisions in relation to Neighbourhood Planning and Neighbourhood Development Orders'. This will be further reinforced through request to Full Council for an amendment to the Council's Constitution.

4. POLICY AND CORPORATE IMPLICATIONS

4.1 The Neighbourhood Plan needs to conform to the Core Strategy/ Local Plan that is adopted at the time of the neighbourhood plan examination.

5. FINANCIAL IMPLICATIONS

5.1 The Council will be subject to additional costs to cover the statutory requirements. It is not possible to predict how many communities will come forward to prepare a Neighbourhood Plan or Orders and the council will have a duty to support those that do. To date ten parish councils have shown an interest in producing a neighbourhood plan and Asfordby Parish have applied to become a designated neighbourhood planning area.

5.2 The local planning authority has to provide 'technical advice and support' to communities preparing neighbourhood developments plans. It could include gathering evidence, helping with facilitation or advice on consultation. It can, but doesn't have to include financial support.

5.3 Once the Community Infrastructure Levy (CIL) has been adopted by the Borough Council, parish councils who have an adopted neighbourhood plan will be entitled to 25% of the monies raised through the CIL from new development within their parish.

5.4 On the 18th December DCLG announced new arrangements setting out the following funding scheme available to Local Authorities:

- £5,000 is available at area designation
- £5,000 at submission for publicity and examination

- £20,000 following a successful examination

There is a cap of ten areas for the financial a year of 2013/14 and this has been raised to 20 areas for 2013/14.

6. LEGAL IMPLICATIONS

- 6.1 The Localism Act 2011 (Part 6, Chapter 3, sections 116-121 and Schedule 9 and 10) and the Neighbourhood Planning (General Regulations 2012) set out the power and duties considered in this report.

7. COMMUNITY SAFETY

- 7.1 Neighbourhood planning is intended to improve community cohesion.

8. EQUALITIES

- 8.1 The Localism Act was subject to an impact assessment. Neighbourhood Plans should ensure they do not discriminate any of the protected characteristics or other recognised vulnerable groups.

9. RISKS

- 9.1 The council is required to support parish councils or community forums in the preparation of Neighbourhood Plans and once adopted the Neighbourhood Plan will form part of the statutory planning framework

10. CONSULTATION

- 10.1 The application for the Designation of Asfordby Neighbourhood Planning area was consulted on from the 4th July 2012 to the 15th August 2012. No representations were received in relation to the neighbourhood plan.

11.0 WARDS AFFECTED

- 11.1 All wards are affected.

12.0 CLIMATE CHANGE

- 12.1 Climate Change considerations are placed at the heart of the planning system. Neighbourhood Plans are required to conform to the Core Strategy which has considered climate change.

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Date: 14th February 2013

Appendix A	Neighbourhood Planning Briefing Note
Appendix B	Asfordby Parish Council Neighbourhood Plan Application
Background Papers :	None