

Bath & North East Somerset Council

MEETING	Planning, Housing and Economic Development Policy Development & Scrutiny Panel
MEETING DATE:	Tuesday 5th January
TITLE:	Neighbourhood Planning Update
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report: Attachment 1: Schedule of Neighbourhood Planning work in B&NES	

1 THE ISSUE

1.1 This report provides an update on Neighbourhood Planning in B&NES.

2 RECOMMENDATION

2.1 That the Panel notes the current position on Neighbourhood Planning in B&NES.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 The main costs of producing Neighbourhood Plans are related to in-kind technical support, plus the costs of the independent examination, referendum and associated printing costs. These costs continue to be funded through a £30,000 Government Neighbourhood Planning Grant (per Plan), which will be received by the Council by the end of the calendar year (Neighbourhood Planning Grants are paid quarterly).

3.2 All other minor costs associated with supporting the preparation of the Neighbourhood Development Plan have been covered within the Council's LDF budget. Significant community resources are inputted into developing Neighbourhood Plans, including substantial volunteer time.

3.3 Once the Neighbourhood Plan is made (adopted), a parish will receive 25% of CIL payments for development within their Neighbourhood Area, in line with the CIL Regulations (rather than the typical 15%). The CIL liability at 15% or 25% is determined at the stage a detailed application is made.

3.4 There are two DCLG National Neighbourhood Planning Champions in the Planning Policy Team and one community National Neighbourhood Planning

Champion (Rosemary Naish from Clutton Parish Council). This recognises the strength of expertise and knowledge in this field locally.

- 3.5 A successful bid was made as part of the Place Directorate Strategic Review to support enhanced Neighbourhood Planning activity in order to secure additional government grants in this area for B&NES Council. It is anticipated that this will be implemented in 2016-17 for the period of the next 4 year medium term financial plan.
- 3.6 Neighbourhood Planning Groups also have access to funding of £8k-£16k from Locality (administering on behalf of DCLG). All Neighbourhood Planning Groups in B&NES that have applied for this funding have been successful, and there has been support and advice provided in making these grant applications from the Planning Policy team.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Localism Act 2012 introduced three neighbourhood planning powers (see box below). These are all permissive, pro-development tools which allow communities to encourage, shape and influence new development. Neighbourhood Planning activities must be in general conformity with national planning policy and strategic local planning policies.

Neighbourhood Planning Powers

Neighbourhood Plans

A Neighbourhood Plan is a neighbourhood level development plan for all or parts of a defined neighbourhood area. The content can be locally defined, but it is likely to include a vision statement or diagram, and locally derived planning policies or site briefs. Neighbourhood Plans can influence where new homes and offices should be built and what they should look like. It can be detailed, or general, depending on what local people want. They can be less restrictive than the Local Authorities policies but not more restrictive.

Neighbourhood Development Orders (NDO)

This is an legal document which permits development that a community want to see in their area – either in full or outline, so that it does not require a full planning application or for planning permission to be granted for the local planning authority. Essentially this tool extends existing permitted development rights for specific types of development. In terms of process the process for producing a Neighbourhood Plan is much the same as preparing a Neighbourhood Development Order. Orders might allow extensions to community buildings, affordable housing or local scale renewable energy installations. All other consent regimes will still apply e.g. Building Regulations or Listed Building consent.

Community Right to Build

This is a type of NDO for a particular scheme. It will be for community and voluntary groups only (as defined in the regulations) to identify suitable land, sources of finance and secure support for their proposals. It requires agreement through a 'community referendum'. Such schemes will not need to go through the normal

- 4.2 The Council has a duty to assist communities in the preparation of Neighbourhood Development Plan and orders and to take a Plan through a process of examination and referendum and to bring the Neighbourhood Plan into force.

Once the Plan has been 'made' by the Council there is a six week period where legal challenges can be submitted..

- 4.3 The Government has also published Neighbourhood Planning Regulations, to ensure a level of national consistency in the approach. To assist local communities, the Council has published a step by step guide in it's the My Neighbourhood publication. This document has been recognised nationally as good practice.
- 4.4 A 'made' plan has the full weight of the planning system alongside other statutory Plans prepared by the District Council.

5 THE REPORT

- 5.1 The Council has worked closely with local communities in both preparing neighbourhood plans and on the Placemaking Plan. There are currently three 'made' plans which have been brought into force (Stowey Sutton, Freshford & Limpley Stoke and Clutton) and another 10 plans under preparation with 6-7 expected to be 'made' by the end of 2016. The up-to-date position is summarised in the schedule in **Attachment 1** to this report.
- 5.2 A number of the Parish and Town Councils have sought to allocate sites or designate local green spaces via the Placemaking Plan rather than through a Neighbourhood Plan. This is an efficient way for the Parish and Town Councils to impact on development locally without incurring the additional work of a Neighbourhood Plan. For example, almost 300 Local Green Space Nominations were made via the Placemaking Plan (these are typically made via Neighbourhood Plans).
- 5.3 The types of issues that Neighbourhood Plans in B&NES have focused on in B&NES so far have been:
- Local Green Space Designation
 - Design and character policies
 - Policies relating to infill development and settlement boundaries
 - Policies related to community and social infrastructure
 - Policies relating to local housing and employment development

6 RATIONALE

- 6.1 This is an update report and no decision is required.

7 OTHER OPTIONS CONSIDERED

- 7.1 None. The Council has a statutory obligation to support Neighbourhood Planning.

8 CONSULTATION

- 8.1 Neighbourhood Plans are subject to statutory public consultation arrangements as described in the B&NES Neighbourhood Planning Protocol.

8.2 The Council's section 151 Officer has had the opportunity to input to this report and have cleared it for publication.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Simon de Beer 01225 477616</i>
Background papers	<u>B&NES Core Strategy 2014</u> <u>B&NES Draft Placemaking Plan 2015 (5 Volumes)</u> <u>B&NES 'My Neighbourhood'</u>
Please contact the report author if you need to access this report in an alternative format	

ATTACHMENT 1: B&NES NEIGHBOURHOOD PLANNING UPDATE

Neighbourhood Planning Group	Neighbourhood Plan Area Designated	Draft Plan Submitted to B&NES	Neighbourhood Plan examination	Neighbourhood Plan Referendum	Neighbourhood Plan 'made' by B&NES
Freshford and Limpley Stoke	30 th October 2013	November 2014	January 30 th 2015	10 th September 2015	4 th November 2015
Englishcombe	15 th March 2013	December 2015*	February 2016*	April/May 2016*	June/July 2016*
Batheaston	19 th March 2013	September/October 2016*	November 2016*	January/February 2017*	March/April 2017*
Clutton	27 th August 2013	1 st March 2015	9 th June 2015	10 September 2015	4 th November 2015
Stanton Drew	11 th October 2013	September/October 2016*	November 2016*	January/February 2017*	March/April 2017*
Midsomer Norton	14 th January 2014	June/July 2016*	August/September 2016*	October/November 2016*	December 2016*
Stowey Sutton	13 th December 2013	January 30 th 2015	13 th May 2015	7 th August 2015	9 th September 2015
Timsbury	2 nd January 2014	January 2017*	February 2017*	March/April 2017*	July 2017*
Chew Valley Area	26 th March 2014	March/April 2016*	June 2016*	July/September 2016*	November 2016*
Whitchurch	3 rd March 2014	January/February 2016*	March 2016*	April/May 2016*	June 2016*
Publow with Pensford	11 th February 2015	September/October 2016*	November 2016*	January/February 2017*	March/April 2017*
Westfield	23 rd April 2015	May 2016*	July/August 2016*	September 2016*	November 2016*
Keynsham	December 2015*	January 2017*	March/April 2017*	June/June 2017*	September 2017*

* Expected completion dates