

## **Report to the Cabinet**

**Report reference:** C-028-2014/15  
**Date of meeting:** 6 October 2014



**Epping Forest  
District Council**

**Portfolio:** Planning  
**Subject:** Epping Town Neighbourhood Area Consultation  
**Responsible Officer:** Shanaz Zaman (01992 564732)  
**Democratic Services:** Gary Woodhall (01992 564470)

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### **Recommendations/Decisions Required:**

- (1) To designate the neighbourhood area covering Epping Town parish following the receipt of representations; and**
- (2) To delegate future decisions to designate neighbourhood areas to the Director of Neighbourhoods following consultation with the Portfolio Holder, where the area covers the whole parish and there are no objections.**

### **Executive Summary:**

Neighbourhood Development Plans (NDPs) were introduced as part of the Localism Act 2011. They enable local communities (town/parish councils or designated neighbourhood forums) to shape the way that their local area develops over the coming years. Once approved, NDPs form part of the statutory development plan, and are therefore a material consideration when deciding on planning applications.

To date three neighbourhood areas have been designated, all of which cover the whole parish area and none of which have attracted objections. A minor change to the governance agreed by Cabinet in July 2013 is proposed to enable such uncontentious requests to be approved by officers under delegated powers.

### **Reasons for Proposed Decision:**

The decision regarding designation has been recommended in order that the Council meets its duties under the relevant regulations.

The recommendation regarding governance is to assist in making best use of resources.

### **Other Options for Action:**

To not designate the proposed neighbourhood area, or to designate a different area. Neither action is recommended as there is nothing to support either approach.

To maintain governance arrangements as they are.

## **Report:**

1. The Government introduced Neighbourhood Planning as part of the Localism Act 2011 in order to enable town/parish councils and Neighbourhood Forums to actively participate in plan making. A Neighbourhood Development Plan (NDP), once it has passed a referendum, forms part of the statutory development plan and is therefore taken into account in the determination of planning applications. They can include housing and employment land allocations, policies and design statements and can be as simple or as complicated as the town/parish council choose. Crucially, the NDP must be in conformity with national planning policy as well as the District Council Local Plan.

2. The District Council has a statutory obligation to perform certain duties during the preparation of an NDP. The governance arrangements for neighbourhood planning were agreed by Cabinet on 29 July 2013.

3. Epping Town Council submitted an application for the designation of a neighbourhood area in July 2014. The proposed neighbourhood area, which can be found in Appendix 1, follows the line of the parish boundary. Following receipt of the application, and in line with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012, the Council invited representations on the proposed neighbourhood area for a period of 6 weeks from 8 August until 19 September 2014. Five responses have been received from two parishes: Buckhurst Hill Parish Council and Loughton Parish Council who made no comments; the Epping Society who support the designation; and two developers Croudace Strategic and Persimmon Homes who have asked to be kept informed of the progress of the Neighbourhood Plan.

4. Following designation of the neighbourhood area, the Town Council will progress with the preparation of the NDP. A draft Plan must be submitted to the District Council. Representations will then be invited on the plan for a period of at least 6 weeks, after which an independent examination will be held. Finally, the Plan will be subject to a referendum before Full Council is asked to bring it into force. At this point the NDP will become part of the statutory development plan for Epping Forest District.

5. Neighbourhood areas have previously been designated for Moreton, Bobbingworth and the Lavers, Chigwell and Theydon Bois Parishes. All cover the whole parish area, and none have attracted objections. The Council has recently received applications for the designation of neighbourhood areas from North Weald Bassett Parish Council and Buckhurst Hill Parish Councils.

6. In order to make best use of resources it is proposed that the ability to make uncontentious designations, which cover the whole parish and do not receive any objections, should be delegated to the Director of Neighbourhoods following consultation with the Portfolio Holder. Notification of decisions could then be given through the Member Bulletin. In the light of the increase in the number of neighbourhood plans being proposed it is suggested that the Director of Neighbourhoods should also consider whether additional resources are required in the budget for 2015/16 to support the preparation of plans.

7. It should be noted that the government is currently consulting on requiring councils to make decisions on uncontentious designations within 10 weeks. This minor extension of delegated powers would help facilitate this, should it come into effect.

## **Resource Implications:**

Currently neighbourhood planning is currently being delivered within existing resources. The Government has a dedicated funding resource for the development of NDP's, and as such, the Council will receive £5,000 for designating a neighbourhood area. Further payments will

be received as the NDP is progressed up to a maximum total of £30,000. The minor change to delegated powers proposed would assist in making best use of resources. Future resources are to be considered for 2015/16 in the light of the number of neighbourhood plans being brought forward and the support being provided by the Planning Policy team.

**Legal and Governance Implications:**

The legal and governance arrangements were agreed by Cabinet on 29 July 2013.

**Safer, Cleaner and Greener Implications:**

N/A.

**Consultation Undertaken:**

Whilst not a consultation, representations were invited with regard to the designation of a neighbourhood area covering Epping Town Parish for a 6 week period between 8 August and 19 September 2014.

**Background Papers:**

Epping Town Council submission for Neighbourhood Area designation.

**Risk Management:**

It will need to be ensured that Council resources do not extend beyond the level of assistance agreed with the governance arrangements as approved at Cabinet in July 2013, and as may be altered as proposed in recommendation 2 of this report.