

# CABINET

## Morecambe Neighbourhood Plan Application for Area Designation

26<sup>th</sup> April 2016

### Report of Chief Officer (Regeneration and Planning)

PURPOSE OF REPORT				
To request approval of Morecambe Town Council's Neighbourhood Plan Designation Area Application.				
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>	Referral from Cabinet Member
Date of notice of forthcoming key decision	N/A			
This report is public				

#### RECOMMENDATION OF THE CHIEF OFFICER (REGENERATION & PLANNING)

- (1) To approve the Morecambe Neighbourhood Plan Designation Area Application.
- (2) To update the General Fund Revenue Budget to reflect the DCLG funding and associated expenditure.

#### 1.0 INTRODUCTION

- 1.1 Neighbourhood planning gives communities the chance to decide where new development should be and what it should look like. For example, new homes, shops and offices. A Neighbourhood Plan must be in line with the district's local development plan and national planning guidance and is subject to an independent examination and community referendum. If approved by the local community then a neighbourhood plan forms part of the district's local development plan and is used to make decisions on planning applications.
- 1.2 A number of Area Designations have already been made within the district over the past 12 months with decisions generally made via an Independent Cabinet Member Decision – the Portfolio Holder Cllr Janice Hanson. However, due to Cllr Hanson's involvement in Morecambe Town Council (the proposers of this Neighbourhood Plan Area) approval is sought via Full Cabinet.
- 1.3 Following the conclusion of a four week consultation period and consideration of the highlighted issues, Cabinet is now requested to consider the Morecambe Neighbourhood Plan Designation Area Application.

## **2.0 BACKGROUND**

- 2.1 The first stage of the neighbourhood plan process is to agree which area the plan will relate to. It can apply to the whole parish area or just part of it, or include more than one parish if appropriate to do so. Guidance on defining the boundaries of a neighbourhood area are provided in National Planning Practice Guidance (NPPG).
- 2.2 The NPPG suggests that in areas with parishes, a local planning authority is required to have regard to the desirability of designating the whole of the area of a parish or town council as a neighbourhood area. However, whilst this should always be considered as a starting point there are a number of other considerations which are important when deciding the boundaries of a neighbourhood area. These include:
- a. Village or settlement boundaries, which reflect areas of planned expansion;
  - b. The catchment area for walking to local services;
  - c. The areas where formal or informal networks of community groups operate;
  - d. The physical appearance or characteristics of a neighbourhood;
  - e. Whether the area forms all or part of a coherent estate either for business or residents;
  - f. Whether the area is wholly or predominantly a business area;
  - g. Whether infrastructure or physical features define a natural boundary, for example a major road or rail line;
  - h. The natural setting or features in an area; and
  - i. Size of the population living and working in the area.
- 2.3 If approved, the Council will be required to publish the name, map of the neighbourhood plan area and the name of the organisation that applied. If refused, a decision document will need to be issued which outlines the reasons for refusal. The Council can only refuse an area application if it is considered not to be an appropriate area for designation.

## **3.0 CONSULTATION DETAILS**

- 3.1 Morecambe Town Council submitted their application to designate a Neighbourhood Plan area on Friday 22<sup>nd</sup> January 2016. The area which was defined as part of the application included the whole parish.
- 3.2 Consultation on the Morecambe Town Council's area designation began Monday 15<sup>th</sup> February 2016 for a four week period, ending on 14<sup>th</sup> March 2016. As part of that consultation a number of responses were received from interested parties and these are summarised with the prepared consultation report, which is appended to this report (Appendix A).
- 3.3 As with previous consultations on area designations, a press release was issued and an email sent out to the planning policy consultation list (which includes 1,427 contacts). The application letter, completed form and a map of the proposed area were published on both the City and Town Council's websites and a notice and copies were made available at relevant Town Council noticeboards.
- 3.4 8 organisations and 1 individual responded to the consultation and had no objection to the proposed Morecambe Neighbourhood Plan Designation Area. Please refer to Appendix A for the full consultation report.

#### **4.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)**

4.1 A local authority can refuse an application for a neighbourhood plan area designation only on the grounds that the area that is the subject of the application is not an appropriate area. Given that the area that is proposed is the area of the whole parish, there is no suggestion that the subject of this application is not an appropriate area. It follows that there is no reasonable ground for not approving the application, and therefore no realistic other option.

#### **5. CONCLUSIONS**

5.1 The Morecambe Neighbourhood Plan Area Designation is in line with the current ward boundaries and follow the urban form of Morecambe, whilst there are concerns over the geographical scale of the area designation there have been no formal objections raised. Therefore it is recommended that the application be approved.

#### **RELATIONSHIP TO POLICY FRAMEWORK**

Neighbourhood Planning contributes to the Council's corporate plan priorities, in particular, sustainable economic growth.

Once adopted, neighbourhood plans will form part of the Council's Lancaster District Local Plan.

#### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)**

A neighbourhood plan will directly impact local communities. However, this impact will be subject to the plans focus e.g. housing, local facilities, open space etc. Equality and diversity and sustainability impact assessments will be required as part of the neighbourhood plan development process.

Neighbourhood planning provides rural communities with an opportunity to shape future development in their area, as well as helping to protect and conserve their heritage and environment (in line with the District's Local Plan and national planning policy guidance).

#### **LEGAL IMPLICATIONS**

The Council's Legal duties are set out within the body of this Report and within the relevant sections of the Localism Act 2011.

#### **FINANCIAL IMPLICATIONS**

As set out in the body of the report, to support the preparation of any neighbourhood plan Lancaster City Council has a duty to provide officer support to the community preparing the plan and as a result will also incur additional costs to cover; (1) various stages of publicity, (2) independent examination and (3) a referendum. The local planning authorities are able to claim monies from DCLG to offset the costs of undertaking this work. However, the DCLG have now updated and reviewed the arrangements for claiming financial support for neighbourhood plan, amending the levels of financial support offered and the stages where payment can be claimed.

Previous claims have been eligible for an initial payment of £5,000. This only applied to the first five neighbourhood areas designated. As this is the sixth this is no longer applicable for our area. A payment of £20,000 becomes eligible once the local authority have set a date for the referendum following a successful examination. As in previous applications, it would not be claimable if the Inspector did not endorse the Neighbourhood Plan. It should also be

noted that since reporting on previous designations, as a result of the DCLG updates referred to above, the local authority will no longer be reimbursed should the Neighbourhood Plan group decide not to take a successful plan to referendum.

The cost of an independent examination is determined by the time spent on the matter by the independent inspector appointed by the Neighbourhood Plan group. The length of the examination reflects the scale of the ambition of the plan, the complexity of the planning policy environment and the extent of support or objection received. Whilst it is therefore not possible to say at this stage what an examination would cost, a recent examination undertaken by another neighbouring authority cost a little under £4,000.

In relation to the referendum costs, these will vary greatly depending on the number of voters, the geography of the area and the number of polling stations required. To provide an illustration of the likely scale of the costs for a referendum for Morecambe the council's democratic service officers have advised that the estimated direct costs of holding a referendum for all the wards in the Morecambe Town Council area (comprising printing and posting of voting materials, the Poll Station day staff and count voters) would be in the region of £40,000.

Neighbourhood plan costs will vary greatly due to potential complexities (examination) and area covered (referendum) and so it cannot be guaranteed that all additional costs will be covered by the grant funding for any given application. However it is expected that this application, the sixth that Lancaster City Council has had to consider, will result in the largest outlay of costs which, should the plan reach the referendum stage, will cost more than the £20,000 funding package available from DCLG. Given the statutory requirements on local authorities to fund the neighbourhood plan process and, in particular the referendum, the council will have no choice but to fund the referendum costs and it is recommended that careful monitoring of Morecambe Town Council's progress in preparing their Neighbourhood Plan is continued to ensure that the timings of financial requirements are fully known and fed into the annual budget process.

It is envisaged that previous, smaller plans, will not necessarily utilise the full £20,000 DCLG funding, therefore it is likely that there will be an element of savings to offset part/all of the overspend on the larger plans such as this one.

To date support and advice for this and previous neighbourhood plan designation applications has been provided through the use of existing Regeneration and Planning staff resources and is expected to continue through 2016, however support for other plans (if they come forward) will need to be reviewed at the designation stage as it will depend on the timings of such applications to some extent, i.e. if more than one came forward at the same time for example. Managing a referendum will also need the resources of democratic services officers, and although for Morecambe this is expected to be managed within existing staff resources, again, this would need to be reviewed on a case by case basis should further Neighbourhood Plans come forward in the future.

#### **OTHER RESOURCE IMPLICATIONS**

##### **Human Resources:**

Officer support has been put in place for neighbourhood planning, however, this may need to be re-considered if demand increases.

##### **Information Services:**

None.

##### **Property:**

None.

**Open Spaces:**

Morecambe Town Council may decide to include open spaces within their neighbourhood plan.

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

none

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