

# CABINET

## Aldcliffe with Stodday Neighbourhood Plan Application for Area Designation

### Individual Cabinet Member Decision (Councillor Hanson)

### Report of the Planning Manager

PURPOSE OF REPORT				
To accept the Aldcliffe with Stodday Neighbourhood Plan Area Designation 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 PLANNING MANAGER:

- a. Following an application by Aldcliffe with Stodday Parish Council for a Neighbourhood Plan, to accept the designation of the Aldcliffe with Stodday Neighbourhood Area.
- b. To delegate authority to the Head of Financial Services / Section 151 Officer, in consultation with the Assistant Chief Executive to update the General Fund Revenue Budget to reflect the Ministry of Housing, Communities & Local Government (MHCLG) funding and associated expenditure.

#### 1.0 INTRODUCTION

- 1.1 Neighbourhood planning gives communities the chance to decide where new development should be located and what it should look like. This ranges from new housing to commercial development. 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 a 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 The designation of a Neighbourhood Area by the City Council is the first stage in producing a Neighbourhood Plan. It establishes the geographical area to be covered by the Plan.

- 1.3 Following national legislative changes in 2016, local authorities are no longer required to carry out a formal consultation at this stage of the process regarding an Area Designation for a Neighbourhood Plan. Therefore the Cabinet Member is requested to accept the Aldcliffe with Stodday Neighbourhood Plan Area Designation.

## **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 it may 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 material 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 Where a Parish Council applies for the whole area of the parish to be designated as a neighbourhood area, then the local authority must designate the whole of the area applied for.
- 2.4 The Council will be required to publish the name, map of the neighbourhood plan area and the name of the organisation that applied.
- 2.5 The application was received on 16 August 2018. Once the designation area application has been accepted, the Parish Council will continue to develop a neighbourhood plan for their area. This is likely to start with engaging local stakeholders to develop a vision, values and objectives. On request, Lancaster City Council will provide advice, guidance and support via an initial meeting, provision of background data/evidence, professional advice and assistance and once complete review the draft neighbourhood development plan.

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

- 3.1 There are no other options for the Council to consider, for the reasons stated in Paragraph 2.3 above. In this particular case, Aldcliffe with Stodday Parish Council have applied for their whole parish area to be designated, and there are no reasonable grounds for not accepting the application. Therefore the Council must designate the whole of the area being applied for.

## **5. CONCLUSIONS**

- 5.1 The Aldcliffe with Stodday Neighbourhood Plan Area Designation is in line with the current parish boundary and therefore must be accepted, in accordance with the NPPG.
- 5.2 Once accepted, it is anticipated that the qualifying body (Aldcliffe with Stodday Parish Council) will work through the more detailed stages of Neighbourhood Plan preparation and

consultation.

#### **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**

Legal have been consulted and have no further comments.

#### **FINANCIAL IMPLICATIONS**

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 the Ministry of Housing, Communities and Local Government (MHCLG, previously known as DCLG) to offset the costs of undertaking this work. However, the MHCLG 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.

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 MHCLG 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 Aldcliffe with Stodday the council's democratic service officers have advised that the estimated direct costs of holding a referendum in the Aldcliffe with Stodday Council area (comprising printing and posting of

voting materials, the Poll Station day staff and count voters) would be in the region of £2,000.

Neighbourhood plan examination 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. Should the examination for Aldcliffe with Stodday prove not complex then likely costs would comprise around £1,000 for publicity of the examination and then £4,000-£6,000 for the examination itself, thus, total examination costs would be £5,000-£7,000. The total combined cost of the examination and referendum would therefore be £7,000-£9,000. The remaining grant (from the total grant of £20,000) would cover existing staff resources or fall into General Balances.

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 for now is expected to continue through 2018/19, 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, this would need to be funded from the grant, and may require additional staff resources if it impacts on other elections.

It is re-iterated that it is difficult to estimate with any certainty when this application (or indeed the previous ten) will come forward to the referendum stage, if at all, as it is very much led by the relevant parish council, however where possible Regeneration & Planning Officers will work with the parishes to avoid a referendum taking place around any elections.

General fund revenue budgets will be updated under delegated authority

#### **OTHER RESOURCE IMPLICATIONS**

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

Some officer support has been put in place for neighbourhood planning, however, this is the eleventh application and the impact on support services may need to be re-considered if demand increases or more than one application comes forward at the same time.

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

None.

##### **Property:**

None.

##### **Open Spaces:**

Aldcliffe with Stodday Council may decide to include open spaces within their neighbourhood plan.

#### **DEPUTY SECTION 151 OFFICER'S COMMENTS**

The Deputy Section 151 officer has been consulted and has no further comments.

#### **MONITORING OFFICER'S COMMENTS**

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

**BACKGROUND PAPERS**

Aldcliffe with Stodday Parish Boundary Map

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