

CABINET

4 July 2012

DENMEAD NEIGHBOURHOOD PLAN : DESIGNATION OF NEIGHBOURHOOD
AREA

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES:

CAB2302 (Localism Act 2011) – 14 March 2012

EXECUTIVE SUMMARY:

The provisions of the Localism Act in relation to neighbourhood planning, and the formal regulations which prescribe both the process and the role of the Local Planning Authority, came into force on 6 April 2012.

These Regulations require neighbourhood plan preparation to follow key stages including: designation of the area to be covered by the plan; publication of draft plan; pre-submission consultation and publicity; examination; publication of examiners report; referendum and adoption.

Once adopted, the neighbourhood plan is a statutory development plan document, and will, together with other key planning guidance, be used to determine planning applications within the defined neighbourhood area.

To initiate interest in neighbourhood planning, the Government invited applications for 'front runner' status, with the offer of financial assistance (£20,000) to each project, to support their preparation and production. Denmead Parish Council approached the Council last year requesting that it applied for "front runner" status on its behalf. This bid was successful in the fourth wave of front runners announced in August 2011.

Since then, Denmead Parish Council has established a steering group to oversee

the Plan's preparation, as well as creating a neighbourhood forum with a wider audience to engage understanding and participation in the process. They have also set up a website <http://www.denmeadneighbourhoodplan.org.uk/>. At this stage, it is anticipated that a draft Plan will be prepared by April 2013. At present the group is actively undertaking community engagement using a range of techniques and has been fortunate to receive additional support from Locality, one of the charities funded by the Government to specifically support neighbourhood planning.

The purpose of this report is to formally seek authority to designate the area to be covered by the neighbourhood plan as required by the Neighbourhood Planning Regulations.

RECOMMENDATIONS:

- 1 That the application from Denmead Parish Council for designation, and the award of "front runner" status to the application, be noted.
- 2 That delegated authority be granted to the Head of Strategic Planning to undertake any necessary publicity and consultation, in conjunction with Denmead Parish Council, in order to comply with the relevant provisions of The Neighbourhood Planning (General) Regulations 2012.
- 3 Subject to no adverse representations being received on the application, that the part of the Parish of Denmead shown on the plan included as Appendix A to the report be designated as the Denmead Neighbourhood Area, to be covered by the Neighbourhood Development Plan being prepared by Denmead Parish Council.

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REPORT OF HEAD OF STRATEGIC PLANNING

DETAIL:

1 Introduction

- 1.1 Neighbourhood Planning was introduced through the Localism Act 2011 to give communities the opportunity to undertake the preparation of a statutory development plan for their area, to set out not only the type of development that will happen, but where it will be built.
- 1.2 The provisions of the Localism Act in relation to neighbourhood planning, and the formal regulations which prescribe both the process and the role of the Local Planning Authority, came into force on 6 April 2012
- 1.3 To initiate interest in neighbourhood planning, the Government (in advance of the Localism Act) invited applications for 'front runner' status, with the offer of financial assistance (£20,000) to each project, to support their preparation and production.
- 1.4 Denmead Parish Council approached the Council in July 2011 requesting that the Council applies for front runner status on its behalf, on the basis that it wished to be pro-active in both identifying potential development sites and the allocation of them in a neighbourhood plan.
- 1.5 This report briefly sets out the requirements for the production of a neighbourhood plan as required by the Neighbourhood Planning (General) Regulations 2012, together with a summary of the progress made by Denmead Neighbourhood Plan to date.

2 Neighbourhood Planning Process

- 2.1 During 2010, with the election of the Coalition Government, there were various announcements relating to planning, not least the principle of streamlining the existing system and to give more emphasis to communities to determine the future of their locality. The concept of neighbourhood planning was launched, on the premise of the plans being flexible to allow communities to determine the issues or areas to cover and the level of detail to go into.
- 2.2 To encourage participation, the Government also announced the front runner project with financial support of £20,000, for communities to trial

neighbourhood planning prior to legislation coming into force. Over 200 projects have now been awarded front runner status, which have been granted during a series of five rounds of assessments. Denmead was awarded front runner status in the 4th round in August 2011. The application is attached at Appendix A, which was prepared by officers of the Strategic Planning Team at the request of, and in discussion with, Denmead Parish Council.

- 2.3 Neighbourhood Planning legislation and guidance has emerged since 2010 with many organisations contributing, but it was not until final publication of the Regulations in April 2012 that the process was clarified, including the process and the role of the local planning authority to both support and fund elements of preparation, declaration and final adoption of a neighbourhood plan.
- 2.4 The key stages of preparing a Neighbourhood Plan include the following :-
- a) Definition of the neighbourhood area by a relevant body (Parish Council or Neighbourhood Forum) which has to be agreed and publicised by the Local Planning Authority(Regulations 5- 7) – the current stage
 - b) Pre-submission publicity and consultation, before submitting the neighbourhood plan for examination to the Local Planning Authority, the Parish Council or forum must undertake sufficient evidence-gathering and fully consult with both the community and other stakeholders in the locality. This will include a draft plan, proposals map, details of the evidence and consultation undertaken (Regulations 14 – 15)
 - c) Publication of draft plan - Once the draft plan is finalised this is formally published by the LPA, who then request further representations on its 'soundness' for a period of 6 weeks prior to a 'light touch' examination by an independent inspector (Regulations 16 -17)
 - d) Publication of the examiner's report, where the LPA can decide to agree with the plan, together with any necessary modifications, or refuse the plan or determine what action is necessary to respond to the inspector's recommendations (Regulation 18)
 - e) Referendum – the 2012 Neighbourhood Planning Regulations do not include details of the referendum expected to be undertaken at this point in the process – the guidelines for these have recently been published in draft by the Government, and the principle of the referendum is set out in the Localism Act.
 - f) Adoption - after agreeing to make (adopt) a neighbourhood plan, the LPA again publish it (Regulation 19).
- 2.5 Once adopted the neighbourhood plan is a statutory development plan document, and will, together with other key planning guidance (NPPF, the Local Plan (adopted version and emerging Local Plan Part 1)), be used to determine planning applications within the defined neighbourhood area.

- 2.6 It is evident from the above that the role of the LPA is critical to the process, including arranging and funding the examination and referendum, agreeing the neighbourhood plan area and providing ongoing support and technical expertise, throughout the preparation of the plan.
- 2.7 In supporting Denmead through the front runner process, the Council is gaining a greater understanding of the level of support and advice required, which in the fullness of time can be set out in a series of advice notes/templates to guide other Parishes intending to prepare a neighbourhood plan. At present the project is supported by officers of the Strategic and Community Planning Teams of the Council. The front runner funding received from the Government is held and managed by the Strategic Planning Team. Denmead Parish Council has not yet requested any of these funds to be released, although it is anticipated that in due course these will be called upon to support various aspects of the project. It will be necessary to create a budget for this project for bids to be requested and funds allocated.

3 Denmead Neighbourhood Plan – progress to date

- 3.1 Since attaining front runner status last year, Denmead Parish Council, in leading the neighbourhood plan preparation, has established a steering group with agreed terms of reference to oversee the Plan's preparation. They have also created a neighbourhood forum with a wider audience to engage understanding and participation in the process. It is this group that has commenced the Plan's preparation under a number of key themes, with background research and a review of existing documentation (e.g. Core Strategy evidence base).
- 3.2 A website has been created where all agendas and minutes of meetings can be viewed, together with other relevant background papers, <http://www.denmeadneighbourhoodplan.org.uk/>. A project document plan has also been prepared which sets out formal working arrangements and a risk register. This includes an indicative timescale for the Plan's preparation- at this stage it is anticipated that a draft Plan will be prepared by April 2013. At present, the group is actively undertaking community engagement using a range of techniques, in addition to examining existing evidence and determining what new research is required.
- 3.3 Neighbourhood Plans are required to be in conformity with other relevant documentation and in particular the City Council's Local Plan. To this extent, Denmead Parish Council has indicated its support for the emerging planning strategy set out in the Winchester District Local Plan Part 1 – Joint Core Strategy, submitted for examination on 18 June 2012.
- 3.4 The project has recently been successful in receiving support from 'Locality', one of the charities funded by the Government to specifically support neighbourhood planning. This support is intensive until the end of July 2012, with a focus on assisting Denmead to effectively engage with its community - both residents and businesses. The support will also assist with creating a

template for the Plan document and running a series of workshops on a number of topics.

4 Designation of Neighbourhood Area

- 4.1 As indicated above, there is a process to be undertaken whereby the Council as Local Planning Authority will formally declare the area as a neighbourhood area under the Localism Act, which will then be the subject of the Neighbourhood Development Plan currently under preparation. In the front runner submission, a plan was included (Appendix A) which showed the area covered by the project – which covers the bulk of Denmead Parish excluding those parts that lie in the South Downs National Park or the major development area of West of Waterlooville. This is on the basis that the MDA already has planning permission and is under construction and that part to the north of the Parish lies in the South Downs National Park, which is now a separate local planning authority.
- 4.2 The application will be posted on the Council's website. Under Regulation 5, the Council must also publicise it in such other manner as it considers likely to bring the area application to the attention of people who live, work or carry on business in the area. It is intended to place a copy of the application at the City Offices, as well as the Parish Council's offices and Waterlooville Library, and use the Council's existing local plan mailing list to bring the application to people's attention as required by the Regulations. This publicity must include details of how to make representations in respect of the application and a closing date for receipt (at least 6 weeks from first publication of the application).
- 4.3 Under Section 61G(4) of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011), the local planning authority must consider the desirability of designating the whole of the area of a parish council as a neighbourhood area. It is considered that excluding the South Downs National Park is appropriate, and in any event the City Council is not the local planning authority for that part of the Parish. Furthermore, given the fact that the West of Waterlooville Major Development Area (MDA) now has planning permission for being fully developed, it is also considered appropriate to exclude the part of the Parish falling within the MDA Park from the neighbourhood area.
- 4.4 If any adverse representations are submitted, these will be brought back to Cabinet for consideration before the area is formally designated. Subject to consideration of any such adverse representations, it is recommended that Cabinet approve the designation and authorise the Head of Strategic Planning to undertake the required publicity consequent upon designation. A similar publicity exercise is required to that needed to consult on the application, to inform people of the name of the neighbourhood area, the map showing the designated area, and the name of Denmead Parish Council as having applied for the designation.

5 OTHER CONSIDERATIONS:

6 SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLANS
(RELEVANCE TO):

- 6.1 The preparation of a neighbourhood plan allows communities to use existing documentation as a framework and to build on these and incorporate more local detail as appropriate to their neighbourhood. Government has made clear in its various announcements on neighbourhood plans that these will vary from place to place and be tailored to suit local circumstances. Whilst these are primarily a planning tool, they can by their nature also include more aspirational requirements and in this respect there may be elements of the City Council's Sustainable Community Strategy or actions derived from the Change Plans that could be incorporated at this local level.

7 RESOURCE IMPLICATIONS:

- 7.1 At present, officers from both the Strategic Planning and Community Planning Teams of the Council support this project, by providing technical advice and expertise and attending monthly meetings of the steering group and forum. In addition, the Council is required to both publish the draft neighbourhood plan and then submit the plan for examination. This will include appointing the inspector to examine the Plan and to undertake the examination process. Post-examination, again the Council is required to publish the inspector's report and to resource the referendum, prior to formal adoption of the plan as a Neighbourhood Development Plan.

- 7.2 The Council has received £20,000 to support preparation of the plan, although it is acknowledged this is insufficient to fund the whole process from start to finish, given potential extensive costs of examination and referendum. It will therefore be necessary for a more detailed budget to be developed and additional resources to be identified as necessary, and approved within the Council's Financial Procedure Rules. The current level of officer support can be maintained for this plan, but would be difficult to increase or extend to other neighbourhood plans at this stage.

8 RISK MANAGEMENT ISSUES

- 8.1 The whole concept of neighbourhood planning is new and unchartered, which brings with it some elements of risk. The key risks are that the plan fails at examination or at the referendum. Given the Council's involvement, officers will continue to advise Denmead Parish Council and to ensure that the plan remains appropriate and follows due processes, which will reduce the risk at examination. However, the referendum poses a different scenario with current indications being that 51% of those turning out to vote must be in favour of the plan (this element may be clarified by the recently published draft referendum regulations).

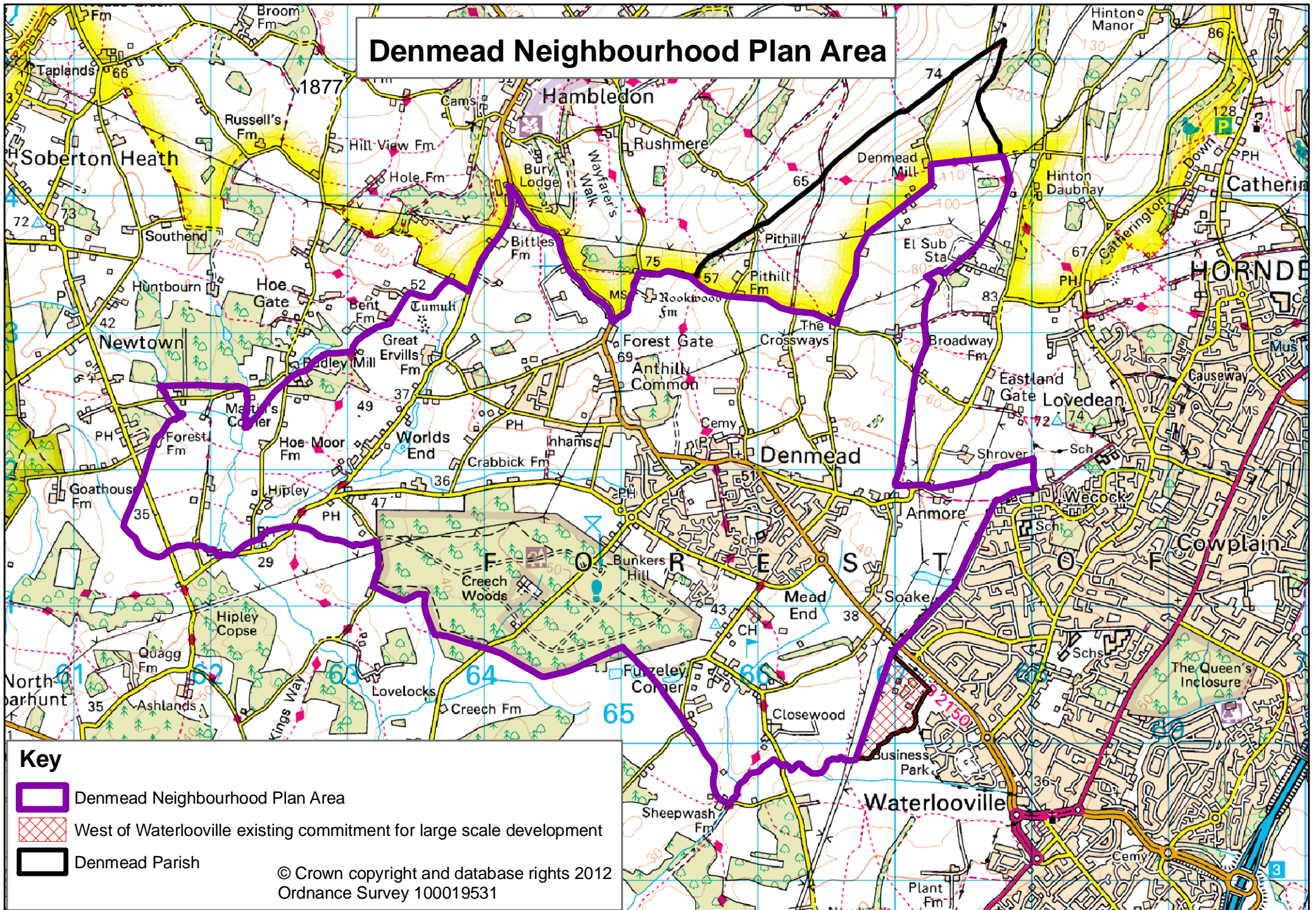
BACKGROUND DOCUMENTS:

Denmead Neighbourhood Plan Front Runner Application and Plan




APPENDICES:

Appendix A : Denmead Neighbourhood Plan Front Runner Application and Plan.

Denmead Neighbourhood Plan Area



Key

-  Denmead Neighbourhood Plan Area
-  West of Waterlooville existing commitment for large scale development
-  Denmead Parish

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Neighbourhood Planning Front runners scheme July 2011 round

Application for grant by Winchester City Council

1. Winchester City Council (WCC) is preparing its LDF Core Strategy taking into account recent announcements made by Government and the intentions highlighted in the Localism Bill. To reflect the localism agenda, in 2010 the Council created a new consultation tool 'Blueprint' to enable its many communities to undertake a locally focussed debate about their future needs and aspirations - <http://www.community-blueprint.co.uk/>. Blueprint has been acknowledged as an innovative and community-focussed process and has featured in localism events promoted by the Planning Advisory Service, National Planning Forum and others. Responses to Blueprint were well structured and often represented a cross-community view.
2. The Council considered the Blueprint comments and in conjunction with updated technical evidence has created a response to reflect local views. These are presented in its Core Strategy document 'Plans for Places..after Blueprint'. www.winchester.gov.uk/plans4places, which is subject to consultation between 27 June – 8 August 2011.
3. Plans for Places sets out a development strategy for the District, including the amount of new homes to be provided. The District has a large rural area, with a variety of communities ranging from traditional market towns of a few thousand population to small hamlets of a few dwellings originally serving the agricultural industry. Following a re-examination of the sustainability considerations of rural settlements taking into account the findings of the Taylor Report 2009 and the responses to Blueprint, the Council has revised its rural development strategy.
4. This has highlighted the role of the market towns and locally important service centres as being capable of accommodating new development to address local housing and employment needs and supporting the retention of local services. Plans for Places proposes that the market towns provide 400-500 new homes each, with the smaller service centres providing 150-250 houses each over the 20 year plan period.
5. One of the locally important service centres in the District participated actively in Blueprint and produced a very detailed response following discussions with local residents, young people, community groups and developers, they also prepared and analysed a detailed questionnaire.

This community - Denmead has now approached the Council with a request to follow-up the Blueprint exercise by preparing a Neighbourhood Plan (their Blueprint submission can be viewed via the following web link ; <http://documents.winchester.gov.uk/docs/blueprint/20146.pdf>).

6. Denmead agrees with the emerging development strategy expressed in Plans for Places, to build between 150 -250 new homes. They recognise and wish to retain their role as a larger settlement offering a range of community services and facilities and they wish to lead the process of identifying sites for future development. This is supported by their Blueprint response which recognises the need for more affordable homes and housing for its ageing population, together with the provision of small start up units for employment purposes. The need for provision of open space has been acknowledged by the PC and Winchester and the opportunities for this to be delivered need further investigation.
7. The PC understands the complexities of ensuring a balance between local opinion and technical data and is prepared to undertake full local consultation to engage with all residents and the business community. Denmead PC discussed at its June 22 Planning Committee the concept of approaching Winchester to be submitted as a front runner (http://www.denmeadparishcouncil.co.uk/view_minutes.php?mid=444).
8. Following subsequent discussions with the Parish Council it is obvious that they have thought about both the process involved in preparing a NP and the outcomes they wish to achieve, which are set out in the attached letter of support from the Parish Council.
9. A plan of the Parish is attached – the NP would exclude that part of the parish in the South Downs National Park and that within the West of Waterlooville Major Development Area which already has planning permission for 2000 new homes. Its focus will be the settlement of Denmead and its surrounding environment.
10. The Parish Council are aware of the need to both identify sites in the right location, taking into account sustainability and environmental considerations, and to ensure that they are deliverable. To this extent they have commenced an examination of the sites submitted to the Council as part of its SHLAA and have initiated discussions with local land owners.
11. Winchester City Council considers this project would be viable with appropriate support but recognises that the local community will need much help to develop the NP. The City Council is not in a position to provide the level of technical advice and support that would be required and this bid is to fund the support needed to enable Denmead to proceed with a NP, building on the local support and encouragement it received to Blueprint. This may remove the necessity of preparing a Site Allocations DPD to include Denmead, potentially saving

Winchester City Council resources in the longer term. If successful, this type of NP could be rolled out to other rural settlements within Winchester District and may provide a model for wider application. The grant would go towards more specific technical evidence and assistance to support the allocation of sites and to undertake full community engagement, sustainability appraisal and subsequent publication of documents for consultation.

12. Winchester City Council understands its role and commitment to support Denmead with its preparation of a NP, including the requirement to appoint a suitably qualified person to undertake an examination and to resource a referendum prior to formal adoption. The timing of this proposal allows for the formulation of the NP to follow the stages of the emerging Core Strategy and to utilise as necessary parts of the Council's LDF evidence base, to ensure compliance. This timescale will also allow for the Localism Bill to come into force and any subsequent amendments in relation to the preparation of NPs to be taken into account.

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In the final months of last year, Winchester City Council, as the local Planning Authority, carried out a consultation exercise. Denmead Parish Council became fully engaged in this carrying out a village consultation and public meetings using the evidence to deliver a detailed response. The work encouraged Councillors to become increasingly aware of the government's Localism Agenda and the opportunities that might be available within it. Last month, when it became aware of the Front Runners scheme the Parish Council unanimously agreed that we should encourage WCC to apply on our behalf. Denmead is one of the largest Parishes in the district and sits between the countryside (the new South Downs National Park) to the north-east) and an urban area (Waterlooville) and a new Major Development Area currently being built to the south and south east. It would be an area with varied aspects which could 'test' the Neighbourhood Plan scheme as a *Front Runner*.

This Parish Council wishes to reinforce its position as an innovative body: It is a Quality Council which in recent years has joined a PFI (for street lighting) and uses the Power of Wellbeing to maintain the village centre. Currently the Council is working on Exception Site for affordable homes with Hampshire the County Council.

The Parish Council has discussed and proposes the following arrangements:

- The Neighbourhood Plan (NP) would be prepared by a steering group consisting of a minimum 10 members with approx 5 representatives from the Parish Council, 2 from Denmead Village Association plus representatives from various community groups.
- the steering group will lead the process, including community consultation, liaison with statutory agencies, collation of background evidence and preparation of draft documents for consultation, with advice and support from Winchester City Council as necessary.
- The steering group will project manage the NP on a day-to-day basis and drive the project forward pulling in the necessary skills, from both local sources and experts in the fields, as required
- An initial estimate of the timescale for production of the NP is two years and this would follow the stages of the Winchester Core Strategy set out in its 2011 Local Development Scheme (Publication end 2011; submission April 2012; examination summer 2012 and adoption 2012). The NP would involve all evidence gathering, early community consultation etc during 2011 - 2012, followed by consultation on draft document through to examination, referendum and adoption in 2013. Therefore the NP would be developed to be in conformity with the (by then adopted) Core Strategy.
- The purpose of the NP will be to identify sites for a range of uses that were identified during the recent Blueprint consultative exercise. These include affordable housing, market housing, addressing the current

under provision of recreational open space, determine future burial ground space, seeking to consolidate and expand existing commercial enterprises (for local employment) and to confirm the extent of a locally designated Gap to ensure the identify of Denmead is retained separate from the major development area of West of Waterlooville to the south east of the village.

We commend the scheme to you and to the Department for Communities and Local Government.

Yours sincerely

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