

Decision by Director of Neighbourhoods in consultation with the Portfolio Holder



Epping Forest District Council

Report reference: Local Plan/ Neighbourhood Plans/ Buckhurst Hill

Date of report: 17-November 2014

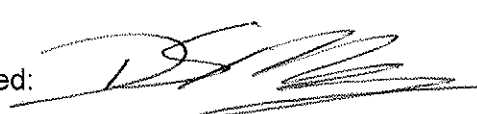
Director of Neighbourhoods: Derek MacNab

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Democratic Services: R

Subject: Buckhurst Hill Designation of a Neighbourhood Area for the purposes of the preparation of a Neighbourhood Development Plan.

Decision: To approve the designation of the Buckhurst Hill Parish Council area as the Neighbourhood Area for the preparation of a neighbourhood development plan.

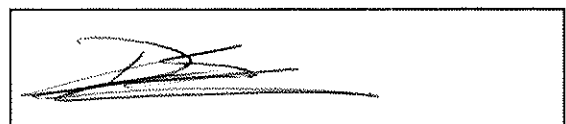
ADVISORY NOTICE:	
<i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest. A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/do not approve (delete as appropriate) the above decision:	
Comments/further action required:	
Signed: 	Date: 5 th Dec 2014
<i>Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:</i>	<i>Dispensation granted by Standards Committee: Yes/No or n/a</i>
Office use only: Call-in period begins: n/a	Expiry of Call-in period: n/a

After completion, one copy of this pro forma should be returned to Democratic Services IMMEDIATELY

Reason for decision:

- (1) For the Director of Neighbourhoods in conjunction with the Portfolio Holder for Planning to approve the designation of the Buckhurst Hill Parish area as the Neighbourhood Area for the purposes of the preparation of a Neighbourhood Plan.

Options considered and rejected:




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

Background 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 and have direct power to develop a shared vision for their neighbourhood, including 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. These plans 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 in general conformity with strategic policies in the development plan – in the case of EFDC this is the District Council Local Plan.
2. The District Council has a statutory obligation to provide advice and assistance during the preparation of an NDP. The Council's governance arrangements for neighbourhood planning were agreed by Cabinet on 29 July 2013. Changes were agreed by Cabinet on 6 October 2014 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.
3. Buckhurst Hill Parish Council submitted an application for the designation of a neighbourhood area in September 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 **22 September 2014 until 31 October 2014**. One response was received from Loughton Parish Council noting the application. No objections were raised.
4. Following designation of the neighbourhood area, the Parish 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, if over 50% of those voting vote in favour then the neighbourhood plan must be made (brought into legal force) by the Council. At this point the NDP will become part of the statutory development plan for Epping Forest District. Once adopted by the LPA it will be used as a material consideration when dealing with planning applications in the area.
5. Neighbourhood areas have previously been designated for Moreton, Bobbingworth and the Lavers (MBL), Chigwell, Theydon Bois and Epping Town Parishes. The Council has also received an application for the designation of a neighbourhood area from North Weald Bassett Parish Council.

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. 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. More recently, in accordance with national practice it was agreed by Cabinet on 6 October 2014 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.

Consultation Undertaken:

Representations were invited with regard to the designation of a neighbourhood area covering Buckhurst Hill Town Parish for a 6 week period between 22 September and 31 October 2014.

Background Papers:

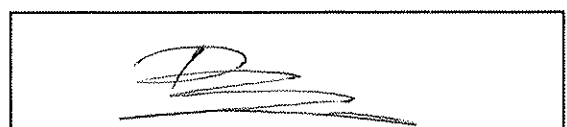
Buckhurst Hill Town Council application and map for Neighbourhood Area designation (attached at Appendix1).

Impact Assessments:

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.

Key Decision Reference (Y/N):



Appendix 1: Proposed Boundary of Buckhurst Hill Neighbourhood Area

