

**Decision by Director of Neighbourhoods in consultation with Planning Policy Portfolio Holder**



**Epping Forest  
District Council**

**Report: Loughton Neighbourhood Area Consultation  
Date of report: 1 June 2015**

**Portfolio:** Planning Policy

**Author:** Ian White (Ext 4066)

**Democratic Services:** Rebecca Perrin

**Subject:** Loughton Neighbourhood Area Consultation

**(1) Decision: To designate the neighbourhood area covering Loughton town parish following the close of the neighbourhood plan area consultation.**

I have read and approve/do not approve (delete as appropriate) the above decision. I have consulted the Planning Policy Portfolio Holder in connection with this decision.

Comments/further action required:

Signed:   
Director of Neighbourhoods

Date: 1st June 2015

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

**Reason for decision:**

Designation of the neighbourhood area has been recommended in order that the Council meets its duties under the relevant regulations.

**Options considered and rejected:**

Not to designate the proposed neighbourhood area, 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 to enable town/parish councils and Neighbourhood Forums to actively participate in plan making. A Neighbourhood Plan (NP), once it has been supported in a referendum, forms part of the statutory development plan and is therefore taken into account in the determination of planning applications. It can include housing and employment land allocations, policies and design statements and can be as simple or as complicated as the town/parish council

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Director of Neighbourhoods:**



choose. The NP must, however, be in conformity with national planning policy as well as the District Council Local Plan.

2. Under the 1990 Town and Country Planning Act and the Localism Act 2011, local planning authorities have a statutory duty "to give such advice or assistance to parish councils and designated Neighbourhood Forums as in all the circumstances, they consider appropriate for the purpose of, or in connection with, facilitating the preparation of Neighbourhood Plans" (Schedule 4B, 1990 Town and Country Planning Act). Governance arrangements for neighbourhood planning were agreed by Cabinet on 29 July 2013, amended by Cabinet on 6 October 2014 and again by Cabinet on 13 April 2015, taking account of new government guidance and best practice.

3. Loughton Town Council submitted an application for the designation of a neighbourhood area in January 2015. 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 9 February until 27 March 2015. Two responses have been received - one from a member of the public and the other from Epping Town Council, both of which support the designation.

4. Following the close of the consultation, the application was assessed using the criteria set out in Appendix 2. The assessment concluded that, given the proximity of Loughton Parish boundary, this could potentially give rise to impacts on Epping Forest Special Area of Conservation (SAC). This is unlikely to affect the area designation being proposed and so it is recommended that the Loughton Neighbourhood Plan area boundary be approved.

5. Neighbourhood areas have previously been designated for Moreton, Bobbingworth and the Lavers, Chigwell, Theydon Bois, Epping and Buckhurst Hill Parishes. All cover the whole parish area, and none have attracted objections. The Council is currently dealing with an application for area designation from North Weald Bassett Parish Council.

6. Following designation of the neighbourhood area, the Town Council has the option to progress with the preparation of a Neighbourhood Plan. 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 NP will become part of the statutory development plan for Epping Forest District.

#### **Resource Implications:**

Neighbourhood planning is currently being delivered within existing resources. The Government has a dedicated funding resource for the development of NPs, and as such, the Council will receive £5,000 for designating a neighbourhood area. Further payments will be received as the NP 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, updated on the 6 October 2014 and 13 April 2015.

**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 Loughton Town Parish for an 8 week period between 9 February and 27 March 2015.

**Background Papers:**

Loughton Parish Council submission for Neighbourhood Area designation.

**Impact Assessments:**

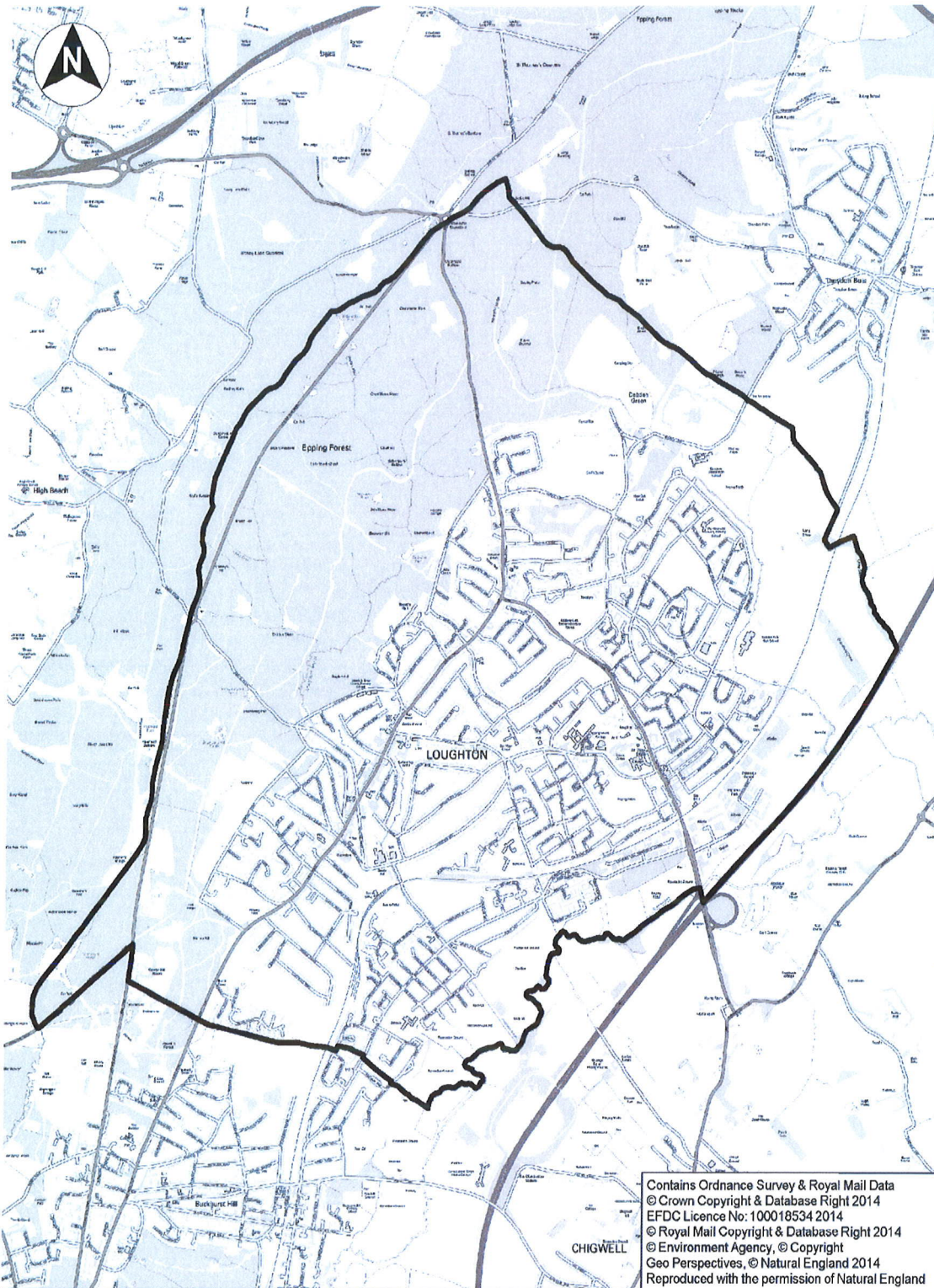
Risk Management

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 October 2014.

Key Decision Reference:\_N



# APPENDIX A



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 High Street  
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Loughton Parish boundary

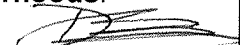


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Scale	1:30,000 @ A4
Drawn By	Sarah King

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**Appendix B: Assessment Criteria**


<b>Criterion</b>	<b>Response (Yes / No / N/A)</b>	<b>Justification</b>
a. Does the application include the whole of a Parish area? (see 61G(4) TCPA 1990)	<b>Yes</b>	The Town Council considers the whole area to be appropriate for designation for the following reasons: (a) It is a long-established, recognised and clearly defined area; (b) The Town Council has a clear mandate to speak and act on behalf of the residents of the area; and (c) The Town Council is committed to ensuring that future development within the town respects both the aspirations of the community and the economic well-being of the town whilst ensuring that the character of Loughton is preserved.
b. If only part of the Parish has been applied for, have appropriate reasons been supplied to justify this approach? (PPG ID 41-032-20140306)	<b>N/A</b>	
c. If more than one Parish area is seeking designation as a neighbourhood area, or the area proposed crosses local authority administrative boundaries, have appropriate reasons been supplied to justify this approach? (PPG ID 41-030-20140306 & 41-032-20140306)	<b>N/A</b>	
d. Does the Parish immediately adjoin the district boundary? (PPG ID 41-030-20140306)	<b>Yes</b>	A very narrow piece of land between Rangers Road and Connaught Water. The adjoining authority is LB of Waltham Forest.



<p>i. If yes, are there any known or potential cross boundary/strategic matters covered by the Duty to Cooperate that cannot reasonably be addressed via the Neighbourhood Plan process? (PPG ID 41-036-20140306)</p>	<p><b>No</b></p>	
<p>e. Where the parish does not immediately adjoin the district boundary, are there any identified strategic matters for consideration by the Local Plan process, including those that may be covered by the Duty to Cooperate? (PPG ID 41-036-20140306)</p>	<p><b>Yes</b></p>	<p>Loughton Parish boundary includes part of Epping Forest SAC. The Town Council should therefore ensure it includes the City of London Corporation and the LB of Waltham Forest</p>
<p>i. If yes, does the presence of any of these issues suggest an amended area would be desirable?</p>	<p><b>No</b></p>	<p>Natural England has published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used to consider whether the Neighbourhood Plan is likely to affect the Epping Forest SAC. Further information and guidance on how to access and use the IRZs is available on the Natural England website.</p>
<p>ii. If it is desirable to designate an alternative area, what is the new area that is proposed? (Reflecting guidance provided by PPG section 41-033-20140306)</p>	<p><b>N/A</b></p>	

**CONCLUSION / REASONS FOR DECISION**

Approve the Loughton Area Consultation boundary. There have been no objections to the designation and it follows the parish council boundary. Furthermore, Epping Forest provides a defensible boundary for the neighbourhood plan area and as such all development proposals and their impact on Epping Forest SAC will be taken into consideration as part of the neighbourhood planning process.

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# Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

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Once commenced, the neighbourhood plan may have various equality implications for a number of different groups, both in terms of the level of engagement that is undertaken during its preparation, and the impact that any policies may have on different sections of the community. However, it is the duty of Loughton Town Council to consider such issues during the preparation of the neighbourhood plan, and as such, the plan should be subject to equality analysis separately.

