

Report to the Cabinet

Report reference: C-008-2014/15

Date of meeting: 21 July 2014



**Epping Forest
District Council**

Portfolio: Planning

Subject: Theydon Bois Neighbourhood Area Consultation

Responsible Officer: Chris Butcher (01992 564294).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) To designate the neighbourhood area covering Theydon Bois Parish following the receipt of representations.

Executive Summary:

Neighbourhood Development Plans (NDPs) were introduced as part of the Localism Act 2011. They enable local communities (town/parish councils or designated neighbourhood forums) to shape the way that their local area develops over the coming years. Once approved, NDPs form part of the statutory development plan, and are therefore a material consideration when deciding on planning applications.

Reasons for Proposed Decision:

The decision has been recommended in order that the Council meets its duties under the relevant regulations.

Other Options for Action:

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

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 in 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. They 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 the District Council Local Plan.

2. The District Council has a statutory obligation to perform certain duties during the preparation of an NDP. The governance arrangements for neighbourhood planning were agreed by Cabinet on 29 July 2013.

3. Theydon Bois Parish Council submitted an application for the designation of a neighbourhood area in April 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 27 May until 8 July 2014.

4. At the time of writing, one response has been received from Loughton Town Council which stated that they had no comments to make. It should be noted that this draft report was written for Cabinet Agenda Planning Group before the close of the period for receiving representations. Given previous experience, it is unlikely that many, if any, additional representations will be received. However, the report will be updated to take into account any further representations before Cabinet meets on 21 July.

5. 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 before Full Council is asked to bring it into force. At this point the NDP will become part of the statutory development plan for Epping Forest District.

6. Neighbourhood areas have previously been designated for Moreton, Bobbingworth and the Lavers and Chigwell Parishes.

Resource Implications:

Currently neighbourhood planning is 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.

Legal and Governance Implications:

The legal and governance arrangements were agreed by Cabinet on 29 July 2013.

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 Theydon Bois Parish for a 6 week period between 27 May and 8 July 2014.

Background Papers:

Theydon Bois Parish Council submission for Neighbourhood Area designation.

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.