

## **Report to the Cabinet**

**Report reference:** C-084-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Planning

**Subject:** Chigwell Neighbourhood Area Consultation

**Responsible Officer:** Chris Butcher (01992 564294).

**Democratic Services:** Gary Woodhall (01992 564470).

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### **Recommendations/Decisions Required:**

- (1) To designate the neighbourhood area covering Chigwell Parish following the receipt of representations; and**
- (2) To agree that all responsibilities between designating the neighbourhood area and bringing the neighbourhood plan into force, in this and any subsequent neighbourhood plans, be delegated to the Director of Neighbourhoods.**

### **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 on the neighbourhood area has been recommended in order that the Council meets its duties under the relevant regulations. The recommendation on delegation to officers makes explicit the delegated element of the governance arrangements agreed by Cabinet on 29 July 2013.

### **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. To decline to delegate elements of the responsibility for neighbourhood plans to officers. This is not recommended as it would go against the governance arrangements approved by Cabinet in July 2013 and would lead to delays in progressing neighbourhood plans.

### **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<sup>th</sup> July 2013.

3. Chigwell Parish Council submitted an application for the designation of a neighbourhood area in November 2013. 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 8 weeks from 16<sup>th</sup> December 2013 to 10<sup>th</sup> February 2014.

4. Two representations were received during this period. The first, submitted by Loughton Town Council, related to concerns about reducing the area of open space between Chigwell and Loughton and were not relevant to the proposed neighbourhood area itself. It should therefore not have a bearing on the Cabinet's decision to designate the neighbourhood area. The second representation, submitted by Barton Willmore on behalf of Higgins Homes, supported the identification of the neighbourhood area. Both representations can be found in Appendix 2.

5. Following designation of the neighbourhood area, the Parish Council can progress with the preparation of the NDP. A draft Plan must be submitted to the District Council. Representations will 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. This is the second such application that the Council has received. A neighbourhood area covering the Parish of Moreton, Bobbingworth and the Lavers was designated by Cabinet on 29 July 2013.

#### **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 Chigwell Parish for an 8 week period between 16 December 2013 and 10 February 2014.

**Background Papers:**

Chigwell 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 July 2013.

Appendix to follow – map of neighbourhood area (i.e. the whole parish)