

Report of the Director of City Development

Report to: Outer North West Area Committee

Date: 3 February 2014

Subject: Neighbourhood Development Plans – update and progress in Outer North West

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	All	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1.0 Summary of main issues

- 1.1 The Localism Act 2011 gives local communities a new 'right' to prepare a neighbourhood plan which could decide where new development takes place, what it looks like and to deliver projects that are of local importance.
- 1.2 This report is the first in a series that will be presented to this area committee on neighbourhood planning and these will highlights issues of local interest and concern.
- 1.3 Leeds has one of the highest levels of neighbourhood planning activity in the country and it is seen as a leading local authority in terms of the support and advice that is given. There are 24 designated neighbourhood areas throughout Leeds, with a possibility of a 20+ more designations during 2014/15. Nationally, there are 630 designated neighbourhood areas 4 plans in force.
- 1.4 In Outer North West, four parished areas have been designated a neighbourhood area (Horsforth, Otley, Pool-in-Wharfedale and Rawdon) and there is one non-parished neighbourhood area (Adel). Adel have recently applied to be designated a neighbourhood forum and an application from Aireborough for neighbourhood area and forum is expected shortly.

- 1.5 The progress on designation and plan preparation can vary and this is affected by a number of factors, including the timing of the adoption of the Core Strategy, the preparation of the Site Allocations Plan as well as a number of local issues that often relate to funding and support and the local capacity to prepare what could be a fairly complex planning document.
- 1.6 Neighbourhood planning also offers opportunities to deliver strategic objectives, including sustainable housing growth, the improvement, protection and identification of new greenspaces, good design and the delivery of local food, child-friendly and health initiatives to name a few.

Recommendation

- 1.7 That the Outer North West Area Committee are asked to note the contents of this report.

2.0 Background Information

2.1 The Localism Act 2011 gives local communities a new 'right' to prepare a neighbourhood plan which could decide where new development takes place, what it looks like and also include other issues that are locally important. These plans can be simple single-policy documents or they can be multi-policy, more complex documents. Whatever type of neighbourhood plan is prepared, it must be in general conformity with local planning policy (the Core Strategy, Site Allocations Plan) and national planning policy (National Planning Policy Framework). This is one of the "basic conditions" for neighbourhood plans, the others are:

- must be appropriate having regard to national policy;
- must contribute to the achievement of sustainable development;
- must be compatible with human rights requirements;
- must be compatible with EU obligations.

2.2 The Statutory responsibilities of the Council are:

- the designations of a neighbourhood area
- the designation of a neighbourhood forum
- the publication of a submitted Neighbourhood Development Plan for consultation
- the arrangements for and cost of an independent examination
- the arrangements for and cost of a Referendum
- the formal assessment of the agreed Neighbourhood Development Plan against EU Regulations
- taking the confirmed Neighbourhood Development Plan part of the Development Plan for Leeds

- 2.3 Local authorities have a 'duty to support' local communities to prepare a neighbourhood plan and in Leeds this is being led by the City Development Directorate (Forward Planning and Implementation) with additional support from Area Support Teams.
- 2.4 Local ward councillors have taken an active role in supporting Neighbourhood planning across the outer north west area. On behalf of the Area Committee the Area Support Team has worked with local volunteers in the Aireborough area, supporting them in the delivery of a number of planning events as they seek to establish themselves as a Neighbourhood Forum for the area. This has involved meeting with local volunteers, attendance at their meetings and preparing documentation and display materials on behalf of the group. Similarly, for the Adel Neighbourhood Forum, assistance has been given in terms of organising displays for public consultation and providing information where requested. The AST team liaise with Horsforth and Otley Town Councils to keep up to date with the development of their neighbourhood plans as well as regular meetings with Planning officers to understand the overall picture for Leeds and progress of all WNW neighbourhood plans.
- 2.5 There is a considerable opportunity for neighbourhood plans to set out non-strategic policies as well as site allocations (within the above context) and once a neighbourhood plan has been adopted (after a successful referendum), its contents (the planning policies) will take precedence over existing non-strategic planning policies in the Local Plan for that neighbourhood.
- 2.6 Neighbourhood plans must be 'pro-development' and to encourage this the Government has agreed that local planning authorities such as Leeds that are planning to introduce the Community Infrastructure Levy (CIL) will pass on 25% of the money raised from development within a neighbourhood plan area to the community. To qualify, a neighbourhood plan must have been through examination and adopted after a successful referendum (50% plus 1 vote). Parish and town councils will receive the money directly and in areas without a parish council, the Council will agree with the local community how to spend the money (how this will be done is subject to further discussion and agreement). For areas without a neighbourhood plan in force, 15% of monies will be passed on for local projects.
- 2.7 Across England, there are there are now 630 neighbourhood area designations, 54 draft plans published, 25 plans submitted to examination, 9 plans passed examination, 6 plans passed referendum and 4 adopted plans.
- 2.8 In Leeds, 24 neighbourhood area designations have been made – 21 parished areas throughout the district and 3 non-parished areas (Holbeck, Adel and Beeston). Although most of the designations that have been made are in parished areas there could a further 20+ non-parished areas applying for neighbourhood area and forum designation in the future.

3.0 Main Issues

Council Support

3.1 Most of the support provided in Outer North West so far has been in the following ways:

- designation of neighbourhood areas and forums
- provision of planning advice
- assistance on consultation and engagement
- advice on the neighbourhood planning process
- provision of technical information
- provision of maps and aerial photographs
- attendance at neighbourhood planning meetings and workshops.

3.2 A voluntary 'neighbourhood planning agreement' is currently being prepared which sets out the statutory processes and timings and the basis of the working relationship between the Council and the parish/town councils and neighbourhood areas. to enable the successful examination of a neighbourhood plan.

Funding and other support

3.3 The 'Supporting Communities in Neighbourhood Planning programme' is supporting groups developing neighbourhood plans in two ways:

- direct support – advice and support, with an average value of equivalent to £9,500, tailored to meet the needs of supported neighbourhoods
- grant payments – up to £7,000 per neighbourhood area, to contribute to costs incurred by the group preparing a neighbourhood plan or order.

3.4 This programme is managed through the Locality organization and information about this and other aspects of neighbourhood planning can be found on their website at mycommunityrights.org. Appendix 1 provides an update on which communities are in receipt of this support.

Designations

3.5 Appendix 1 provides details of neighbourhood area/neighbourhood forum designations and interest in Outer North West. This is supplemented by Plan 1 which shows the spread of designations and also highlights areas where there is no neighbourhood planning activity.

Progress

- 3.6 Appendix 1 provides details of progress on plan preparation and shows a varied picture across Outer North West. This is to be expected as each area has had a different start date and a different set of local issues to respond to. The key issue, however, is progress on the Core Strategy and the Site Allocations Plan, as outlined in paragraphs 3.3-3.11.

Core Strategy

- 3.7 The Core Strategy is the main document setting out the strategic level Policies and Vision to guide the delivery of development and investment decisions and the overall future for the Leeds district. It plans for the longer term regeneration and growth of the district over a 15 year period to 2028. All the other Local Development Framework (LDF) documents will be directly guided by its policies, including the Site Allocations Plan and Neighbourhood Plans.
- 3.8 The Planning Inspector considered a wide range of issues at a series of Hearings in July and October 2013. At these Hearings, where representations had previously been made, the Inspector gave a number of local groups in Outer North West an opportunity to contribute to this debate. Aireborough Neighbourhood Forum attended a number of Core Strategy hearing sessions, including those on housing, Green Belt and employment. They were joined by a number of other groups from Aireborough, such as the Civic Society, Wharfedale Airedale Review Development (WARD), local councillors and the MP and voiced concerns regarding the housing numbers for the district and their aspiration to develop employment opportunities in the area.
- 3.9 The Inspector has confirmed that further Hearing sessions are needed to consider further work on affordable housing and Gypsy's and Travellers (scheduled in May).
- 3.10 Following correspondence with the Inspector, the City Council is expecting a schedule of main modifications from the Inspector by 31st January, together with an indication of any further work which may be required of the Council. The Council has not as yet received any feedback from the Inspector on the overall scale and distribution of housing growth and it is anticipated that this will be addressed in the Inspector's response by the end of January.
- 3.11 The City Council will need to consider the Inspector's proposed main modifications and subject to this, they will need to be advertised for a 6 week consultation period. The City Council will also need to consider the implications of any further work requested by the Inspector and impacts upon the timescales for the Site Allocations Plan and Neighbourhood Plans.

Site Allocations Plan

- 3.12 The Site Allocations Plan will allocate sites that will help to deliver the Leeds Core Strategy's long term spatial vision, objectives and policies. This is to ensure that sufficient land is available in appropriate locations to meet the targets set out in the Core Strategy.
- 3.13 It is anticipated that the Site Allocations Plan will go out for consultation on the Publication Draft late 2014 and adopted late 2015. This timetable may change as it is dependent on the Core Strategy adoption.
- 3.14 Consultation on the issues and options took place during summer 2013 and many people from the Outer North West Area attended the series of drop-in events, arranged their own workshops or took part online. The Council held drop in sessions in Otley and Horsforth to publicise the consultation and a further event was held in Aireborough with the neighbourhood planning group. Officers presented to approximately 60 residents, followed by a Q&A session. Councillors and others also publicised the consultation throughout the area. As a result, there was a good level of representations made and these are currently being considered by the Council.
- 3.15 The feedback from the issues and options consultation, combined with the Inspectors report on the Core Strategy, will assist the Council in progressing with the draft Site Allocations Plan and during this period the Council will continue to work with those areas that are preparing neighbourhood plans. There will also be a further period of consultation on the draft Site Allocations Plan. This will probably take place in late 2014.

Local Issues

- 3.16 It is to be expected that local issues also play a significant part in the progress that has been made on both designations (area and forum) and on plan preparation. Appendix 1 highlights some of these issues, varying from the levels of local interest in neighbourhood planning to the availability of professional planning support and funding. Members may wish to consider if additional support is needed for these areas already engaged in neighbourhood planning and if there is a need to promote neighbourhood planning in those that are not currently engaged.

4.0 Corporate Considerations

- 4.0.1 Neighbourhood plans, once 'made', will form part of the Statutory Development ('local') plan for Leeds and are a key priority for the Council.

4.1 Consultation and Engagement

- 4.1.1 The Council has undertaken a significant amount of consultation and engagement on all of the topic areas covered in this report, much of which is ongoing work.
- 4.1.2 Consultation and engagement is at the heart of neighbourhood planning and a 'consultation statement' must be prepared by the parish/town council or neighbourhood forum and submitted alongside the plan for consideration by an independent examiner. This statement will outline the early engagement undertaken (issues identified, agreement of the vision) through to comments made by

stakeholders on the pre-submission consultation draft and how the submitted plan responded to these representations.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Neighbourhood planning provides opportunities for a greater focus on equality, diversity, cohesion and engagement.

4.3 Council Policies and City Priorities

4.3.1 Neighbourhood plans link well to all three of the Council's corporate priorities set out in the Vision for Leeds:

- Leeds will be fair, open and welcoming (neighbourhood plans must not breach, and be otherwise compatible with, EU obligations and be compatible with human rights requirements);
- Leeds' economy will be prosperous and sustainable (the making of the neighbourhood plan must contribute to the achievement of sustainable development);
- All Leeds' communities will be successful (the making of the neighbourhood plan must be in general conformity with the strategic policies contained in the development plan for Leeds, a significant part of which is planning for growth).

4.3.2 The issues outlined also meets the Council value of 'Working with Communities' and related priority of 'consultation' set out in the Council's Business Plan 2011 – 15.

4.4 Resources and value for money

4.4.1 Neighbourhood planning has potentially significant implications for Council resources and value for money but it is anticipated that a greater focus on engagement, consultation and agreement with and between local communities, the development industry and the Council will result in a more effective way of working for all.

4.4.2 The Council can claim for the following funding to support neighbourhood planning:

- Area designation - £5,000, payment cap of 20 designations per year
- Forum designation - £5,000, payment cap of 5 designations per year
- Plan submitted - £5,000
- Successful examination - £20,000
- Successful examination in business area - additional £10,000.

4.5 Legal Implications, Access to Information and Call In

4.5.1 Neighbourhood planning is taking place within a new and fast-changing national planning background which is focussed on economic growth, localism and

sustainability meaning testing times for local decision-making. Over the next 12 months the Council hopes to adopt the Core Strategy, consult on the draft Site Allocations Plan and alongside this there will be a number of draft neighbourhood plans being prepared by local communities. Once adopted, these documents will comprise the 'local plan' for Leeds.

4.6 Risk Management

- 4.6.1 There is a balance of risks regarding economic growth, localism and sustainability in the delivery of neighbourhood plans as well as the uncertainty over the vote at Referendum stage. Furthermore, not all of the designated areas will submit a neighbourhood plan for Examination and there may be other, new areas that do that are not covered in this report.

5.0 Conclusions

- 5.1 The Council has already provided a significant level of support to communities throughout the Outer North West area and in a variety of ways and will continue to do so, although the focus of this will change over coming months as local communities begin to pull together their plans. The level and type of support needed will vary throughout the neighbourhood planning process and from one neighbourhood area to another but Area Committee is well placed to highlight particular local issues of interest and concern and to advise on consistency and the delivery of projects and CIL, to name a few. The high level of activity in the outer north west area demonstrates the passion that local communities have for their neighbourhoods and the challenges and opportunities that lie ahead. This high level of activity has allowed close working relationships to be established amongst many stakeholders which has, in turn, introduced new faces to local plan making. All of this has to some extent begun 'de-mystify' planning and to help set the scene for the delivery of local and corporate objectives. It is anticipated that neighbourhood planning activity will increase once the Inspectors report on the Core Strategy is received but there will be other local factors at play also, such as the availability of funding and resources and the ability to prepare what may be a fairly complex planning document.

6.0 Recommendations

- 6.1 That the Outer North West Area Committee is asked to note the contents of this report.

7.0 Background documents

- 7.1 there are no background documents. However Appendix 1 and Appendix 2 are attached for information:

Appendix 1 – Neighbourhood Planning in Outer North West – designations and progress

Appendix 2 - Plan 1 - Neighbourhood planning activity in Outer North Wes