

## Report of Forward Planning and Implementation

### Report to Chief Planning Officer

**Date: 2<sup>nd</sup> December 2015**

### **Subject: Response to Pre-Submission Draft Collingham Neighbourhood Plan**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Harewood	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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 This report highlights the Council's response to the pre-submission draft Collingham Neighbourhood Plan which is currently being consulted on by Collingham with Linton Parish Council and is available for viewing and comments by those who live, work or carry out business in the Collingham Neighbourhood Area.
- 1.2 The Council has prepared a formal response to the contents of the draft plan under the following headings:
- Timing/risks – highlights the uncertainty and risks of continuing with the preparation of the neighbourhood plan in the absence of an up-to-date Local Plan (Core Strategy and Site Allocations Plan).
  - Planning Policies – contains detailed comments and suggestions on the policies in the draft plan.
  - General Comments – contains more general comments from across the Council.
- 1.3 The response will be sent to the Collingham with Linton Parish Council and it is anticipated that the Council and the Collingham Neighbourhood Plan Steering Group may wish to discuss the contents in due course. The Parish Council is under no obligation to take the Council's comments and suggestions on board.

## **2.0 Recommendations**

2.1 It is recommended that:

- The Chief Planning Officer approves the City Council's formal response to the Pre-Submission Draft Collingham Neighbourhood Plan.

## **3.0 Purpose of this report**

3.1 This report recommends the Chief Planning Officer to authorise the Council's comments on the Pre-Submission Draft Collingham Neighbourhood Plan.

## **4.0 Background information**

4.1 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 plans or they can be multi-policy and more complex if that is what the community wishes. However, they must follow the following 'basic conditions':

- Be in general conformity with local planning policy (the Core Strategy, Site Allocations Plan) and national planning policy (National Planning Policy Framework)
- have appropriate regard to national policy
- contribute to the achievement of sustainable development
- Be compatible with human rights requirements
- Be compatible with EU obligations

4.2 The plan will be subject to an independent examination and tested against the 'basic conditions'. Non-planning matters will not be examined although their contribution to achieving sustainable development may be referred to.

4.3 The part of Collingham with Linton Parish lying to the south of the River Wharfe was designated the Collingham Neighbourhood Area on 15<sup>th</sup> August 2013. The area to the north is covered the Linton Neighbourhood Plan. As the area is parished there was no requirement to designate a neighbourhood forum. A steering group was established by the Parish Council to approve key proposals and issues whilst smaller groups undertook the detailed work to prepare the draft plan.

## **5.0 Main issues**

5.1 The City Council's response is divided under 4 main considerations:

- Timing/risks – there is increased risk and uncertainty when progressing a neighbourhood plan in the absence of a complete, up-to-date adopted Local Plan. The Leeds Core Strategy was adopted in November 2014 but the Publications Draft public consultation on the Site Allocations Plan has recently closed. The lack of an approved SAP does introduce some uncertainty in relation to assessing general conformity, especially with the recent changes to proposed housing sites in the Outer North East HMCA and there is a risk of

some neighbourhood plan policies being superseded by SAP policies once they are adopted..

- Planning Policies – the Council makes a number of detailed comments on individual policies and suggests changes.
- General Comments – these are broader comments on issues such as education, public health and CIL.

5.2 Overall it is considered that the draft plan is in general conformity with national guidance and the strategic policies of the Core Strategy. There are some proposed policies which the Council considers to be rather onerous and prescriptive, particularly in relation to design and development and others that are broad general statements which lack evidence of any detailed consideration of the issue they refer to, e.g. small scale development. The Council suggests further work that would be useful to clarify what is envisaged and therefore provide a more robust foundation to some of these policies. The Plan does not propose a housing allocation and this creates considerable uncertainty over how the improvements and projects included in the draft plan will be delivered.

## **6.0 Corporate Considerations**

6.1 Once the Plan is made, the Collingham Neighbourhood Plan will be part of the statutory development plan for Leeds. It will also promote a number of projects, some of which may involve the Council in their delivery.

## **7.0 Consultation and Engagement**

7.1 The Collingham Neighbourhood Plan group has undertaken wide engagement with the residents and businesses of Collingham as well as statutory bodies and other external organisations.

7.2 A wide range of Council Officers within the City Development Department and beyond have contributed to the formal response. The Environment Agency, English Heritage and Natural England have been formally consulted by the Council in relation to the potential requirement for an environmental impact assessment and other comments on the draft plan were sought.

7.3 Harewood Ward Members have been kept informed of the plan's progress by both the Council and Clifford Parish Council and have expressed their support for the Plan and its contents.

## **8.0 Equality and Diversity / Cohesion and Integration**

8.1 The Government has undertaken an Equalities Impact Assessment of the Localism Act in relation to neighbourhood planning (2011). The Council views the neighbourhood planning process as an opportunity to deliver equality, diversity, cohesion and integration objectives.

## **9.0 Council policies and City Priorities**

9.1 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).

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

## **10.0 Resources and value for money**

10.1 The Department of Communities and Local Government will provide £5,000 to the Local Planning Authority for every area designation made and a further £5,000 for every forum designation, to assist with costs. It will also provide £5,000 on the submission of a neighbourhood plan for examination and a further £20,000 on completion of a successful examination.

## **11.0 Legal Implications, Access to Information and Call In**

11.1 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.

## **12.0 Risk Management**

12.1 The examination and referendum process introduces risks in the neighbourhood planning system where the outcome will be dependent on the examiner's recommendations and a public vote. The Council will seek to manage this risk by working closely with designated areas to ensure that their neighbourhood plans complete the independent examination successfully.

## **13.0 Conclusions**

13.1 The formal pre-submission response sets out the positive aspects of the Plan as well as the Council's observations and suggestions on areas that it considers would benefit from further work. It will be for the Parish Council to consider all comments made by the Council and others and make appropriate changes to the document prior to submission for examination.

## **14.0 Recommendations**

14.1 It is recommended that:

- The Chief Planning Officer approves the City Council's formal response to the Pre-Submission Draft Collingham Neighbourhood Plan.

## **15.0 Background Documents<sup>1</sup>**

15.1 None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.