

**Report of: Chief Planning Officer**

**Report to: Outer North East Community Committee (Alwoodley, Harewood, Wetherby)**

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**Date: 20<sup>th</sup> March 2017**

**To Note**

## **The role of Outer North East Community Committee in Neighbourhood Planning**

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### **Purpose of report**

1. This report follows on from discussions on Neighbourhood planning at Outer North East Community Committee (ONECC) during 2016, provides an update on the preparation of plans and sets out a number of opportunities for ONECC involvement.

### **Main issues**

#### **Background**

2. Neighbourhood planning was established in the Localism Act 2011 which introduced new rights and powers to allow local communities to prepare a neighbourhood plan. Neighbourhood Development Plans can be prepared by town and parish councils or 'neighbourhood forums' (community groups designated specifically to take forward neighbourhood planning in areas without parishes) and can establish local planning policies for the development and use of land in a neighbourhood area. Some also choose to include projects, although these are not formally considered by the examiner.

#### **Neighbourhood Planning Within Leeds**

3. There are 35 designated Neighbourhood areas in Leeds and some plans are at an early stage while others are soon to be 'made' (that is, adopted). There are many different approaches being taken across the city to plan preparation as well as different levels of collaboration but all plans must meet the 'basic conditions' and these are tested by an independent examiner. The basic conditions relevant to neighbourhood plans are set out below:
  - a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.

- b. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
  - c. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
  - d. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
  - e. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
4. Preparing a plan has taken longer than most groups anticipated but there has been a significant increase in activity over the past year with a large number of groups coming forward with draft plans, not least in the ONE area. A number of groups have struggled across the city and it is likely there will be a few that do not submit a plan for examination.

### **Neighbourhood Planning in the Outer North East**

5. The Outer North East area has 17 designated Neighbourhood areas. Appendix 1 shows the good progress that most are making. Of the plans that are well advanced, there are a number of common themes:
- Protection of the landscape setting of villages
  - Protection of heritage assets
  - Protection of community facilities
  - Designation of local green space
  - Support for some growth that is proportionate and respectful of the existing character
  - Providing for a mix of housing types, especially an increase of smaller units
  - Identification of projects (some plans may choose to identify CIL spending priorities).
6. There are a number of plans in the ONE that are at an advanced stage and close to being 'made' - Linton, Clifford, Bardsey Cum Rigton, Barwick in Elmet with Scholes, and Boston Spa.
7. The Linton Neighbourhood Plan was the first plan to reach examination (August 2015) and be comprehensively supported at referendum (December 2015). Since then the draft Plan has been subject to an application for judicial review which has resulted in two judgments by the High Court, both in the Council's favour, and there is a current application to appeal the second judgment. Although the Plan has not been formally 'made' by the City Council, it does have significant legal weight in determining planning application within the area.
8. The Clifford Neighbourhood Plan has also passed examination (September 2016) and was well supported at referendum (January 2017) and Executive Board will be asked to "make" the Plan on 22nd March 2017, within the 8 week period set out in the 2016 revision to The Neighbourhood Planning (General) Regulations 2012. Collingham Neighbourhood Plan has also successfully passed examination and will go to referendum on 27th April 2017.
9. Bardsey cum Rigton, Barwick in Elmet and Scholes and Boston Spa are currently or will shortly be examined whilst Alwoodley, East Keswick and Thorp Arch have completed pre-submission consultation on their draft plans.

10. A number of other plans have yet to reach pre-submission stage – Aberford, Bramham, Scarcroft, Shadwell, Thorner, Walton and Wetherby. Harewood Parish Council is not progressing with a Neighbourhood plan.

### **Role of Community Committees**

11. Executive Board approved arrangements for the management and support of neighbourhood planning on 20th June 2012. The report recognised the role of Community Committees (then called Area Committees).

“Area Committees have a key consultative role to play in all aspects of the neighbourhood planning process. They will be able to advise, signpost, empower and provide mediation if needed. Prior to a decision being made on the designation of neighbourhood areas or the designation of neighbourhood forums, the Chief Planning Officer will consult Area Committee on timescales, issues and the boundary to be adopted. Area Committee can also contribute to the examiners advisory report, consultation and engagement issues, referendum arrangements, the implementation of neighbourhood plans and linking to the wider localism agenda. As Area Committees meet quarterly, it may not always be possible to report direct. In this case, the relevant Area Committee chair and the Executive Member for Neighbourhoods, Planning and Support Services will be consulted. The Executive Member for Development and the Economy will also be consulted where appropriate.”

### **Community Committee involvement to date**

12. Although there is no statutory role for Community Committees in Neighbourhood planning some have added significant value to the process, generally reflecting local issues and needs as they arise. Involvement has included Neighbourhood planning workshops, governance support, assistance with engagement and consultation and, in a small number of cases, funding.
13. In line with the Executive Board report, officers have consulted local Ward Members and the chair of Community Committee to notify and seek their views and comments at key stages of the neighbourhood plan process, in particular at i) area designation; ii) forum designation; iii) pre-submission draft publicity; and iv) publicity once the plan is submitted for examination.
14. Since the Executive Board meeting in 2012, Neighbourhood planning has grown nationally and the Government has introduced a wide range of measures to 'speed up' the process and to give more power to groups that are preparing the plans. Further clarity since 2012 also means that there are two areas where it is not possible now for community committee to have a role - contributing to the examiner's report and involvement in referendum arrangements.

### **Future arrangements for Ward Member and Community Committee Involvement**

15. Following on from a number of discussions at ONECC during 2016 where a desire was expressed for a greater involvement in Neighbourhood planning, officers from Locality Working and Planning have considered how best to facilitate this, within the available resources and time constraints. The following ONECC actions are proposed, with liaison as required between officers in Planning and Locality Working:
- Provide ONECC with a quarterly update on neighbourhood planning activity and progress, including a list of the plans and opportunities for ONECC to comment

- Provide forward notice of neighbourhood plan activity to aid ONECC involvement – to include estimated dates for pre-submission consultation and the circulation of emerging draft plans
- Consult the Chair of ONECC as well as the relevant ward councillors at the start of the 6 week public consultation period at the pre-submission stage (the Regulation 14 stage) and attach any comments from ONECC to the formal comments from the Local Planning Authority)
- Similarly consult the Chair and ward councillors at the start of the 6 week consultation on the submitted plan (the Regulation 16 stage), and provide any additional comments from ONECC to the examiner (note – representations made at this stage can only be considered by the examiner)

16. Many of the neighbourhood plans within the Outer North East area are well advanced, indeed some are “leading the way” in neighbourhood planning in Leeds. Of the plans that are well advanced (beyond pre-submission stage) there is limited scope for ONECC involvement in the planning policy elements. However, many plans also include specific local projects and ONECC could be an important facilitator and partner in their successful delivery, providing direct assistance and the strategic, cross-neighbourhood area context. These could be the focus of ad hoc liaison meetings and workshops between ONECC and neighbourhood groups. CIL workshops have in the past identified an opportunity for community committee involvement in supporting and advising on the spending of their proportion (‘neighbourhood fund’) and assisting in securing other match funding.

17. There is therefore particular scope for ONECC involvement in those areas that have yet to reach pre-submission consultation - Aberford, Bramham, Scarcroft, Shadwell, Thorner, Walton and Wetherby. The Chair of ONECC has already been consulted on a number of these (December 2016).

## **Conclusion**

18. Different levels of Community Committee involvement in Neighbourhood planning have taken place across the city. The level and type of involvement has generally been dependent on local issues. ONECC has identified a desire to be more involved in Neighbourhood planning generally and the arrangements set out in paragraph 15 provide a good opportunity for neighbourhood planning activity in the ONE to be joined-up, complimentary and responsive.