

**Report of the Director of City Development**

**Report to: Inner North West Area Committee**

**Date: 13 February 2014**

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

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hyde Park & Woodhouse, Headingley, Weetwood, Kirkstall	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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**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 as well as deliver projects that are of local importance.
- 1.2 For non-parished communities, a neighbourhood area and forum must be designated by the Council in order for a plan to be prepared and taken to Examination and Referendum. The neighbourhood area is the area that the plan will cover and the forum is the body that will prepare the plan (made up of a minimum of 21 people who live, work and carry out business in the area).
- 1.2 This report is the first in a series that will be presented to this area committee on neighbourhood planning and will highlight issues of local interest and concern and other issues relevant to the preparation of neighbourhood plans.
- 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 Inner North West, interest has been expressed from every part of the area. Although applications have yet to be made for area/forum designation, a number are expected to be made in the spring, with the Little Woodhouse and the North Hyde Park/Woodhouse areas likely to be the first.
- 1.5 It is a challenge for communities in non-parished areas like inner north west to agree and define neighbourhood boundaries and to establish a representative neighbourhood forum but, once designated, evidence from around the country shows that neighbourhood forums in urban areas can enhance the local sense of 'community' identity and improve cohesion.
- 1.6 Neighbourhood planning offers significant opportunities for the communities throughout the inner north west area, for example, the opportunity 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 Inner 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 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.
- 2.4 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). In non-parished areas, 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.
- 2.5 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.
- 2.6 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, with perhaps as many as 4 or 5 in the Inner North West area.
- 2.7 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. The Community Planner for Inner North West has taken a leading role in this, channelled through the Inner North West Planning Group and existing community networks. This resource has been invaluable in helping to resolve the neighbourhood planning challenges faced in non-parished urban areas.

### **3.0 Main Issues**

#### **Council Support**

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

- promotion of neighbourhood planning opportunities in non-parished areas
- provision of planning advice
- 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 neighbourhood forums to enable the successful examination of a neighbourhood plan. This agreement covers many of the issues and concerns raised by communities throughout Leeds in the past 18 months – support, statutory obligations, responsibilities of local communities – and will be helpful to not only local communities but elected representatives and officers alike.

#### **Funding and other support**

3.3 The national, Government-funded '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 organisation and information about this and other aspects of neighbourhood planning can be found on their website at [mycommunityrights.org](http://mycommunityrights.org). Non-parished urban areas, particularly inner-city areas, will be given priority for funding and support but it is advised that applications are made reasonably early in the 2014/15 financial year.

## **Progress**

- 3.5 Appendix 1 provides details of neighbourhood planning progress in the Inner North West area. Although no designations have been made, there has been a relatively high level of activity over the past 18 months. Interest has been expressed from every part of the area and officers are currently working closely with a number of communities to secure neighbourhood area designation and to ensure that neighbourhood area designations are joined-up and complimentary.
- 3.6 An Inner North West Advisory Group has been set up (January 2014) to compliment the support already on offer in the area, focussing on ensuring consistency across the area. This is a worthwhile development.

## **Core Strategy**

- 3.7 All neighbourhood plans must demonstrate that they are in 'general conformity' with the Core Strategy, which sets 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.
- 3.8 The Inner North West Planning Sub Group had previously made representations on Core Strategy regarding Policy H6 (Houses in Multiple Occupation, Student Accommodation and Flat Conversions and on Policy G6 (Protection and Redevelopment of Existing Greenspace). Members of the group were given an opportunity by the Planning Inspector to debate these issues at Hearings in October 2013.
- 3.9 Following correspondence with the Inspector, the City Council is expecting a schedule of main modifications by 31<sup>st</sup> January, together with an indication of any further work which may be required of the Council.
- 3.10 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 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**

- 3.11 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.
- 3.12 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.

3.13 Consultation on the issues and options took place during summer 2013 and many people from the Inner North West Area attended the series of drop-in events held at the Civic Hall and other venues. Local Councillors and others also publicised the consultation throughout the area. The Inner North West Planning Sub Group made a number of representations on topics covering housing, greenspace, retail & employment and town and local centre designations

3.14 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.

#### **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 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 Inner North West area, mainly through the Community Planner funded by this Area Committee. This dedicated support has resulted in a fairly high level of understanding and interest throughout the area, although further work needs to be done to attract the required 21+ people who live, work and carry out business in each of the potential neighbourhood areas. This presents both a challenge and an opportunity for this part of the city. Experience elsewhere in Leeds

shows that attracting 'new faces' and engaging with business can be difficult as well as time consuming but the wide-ranging opportunities – both planning and non-planning - of active and representative neighbourhood forums and adopted neighbourhood plans could make a real difference in neighbourhoods across inner north west.

## **6.0 Recommendations**

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

## **7.0 Background documents**

- 7.1 Appendix 1 – Neighbourhood Planning in Inner North West – designations and progress