

## APPENDIX H

### WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 5 FEBRUARY 2013

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**Title:**

**FARNHAM AND HASLEMERE NEIGHBOURHOOD DEVELOPMENT PLAN AREA  
APPLICATIONS**

**[Portfolio Holder: Cllr Bryn Morgan]**

**[Wards Affected: All Farnham and Haslemere]**

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**Summary and purpose:**

Farnham and Haslemere Town Councils are respectively preparing neighbourhood development plans (known as neighbourhood plans). Under the neighbourhood planning legislation the first stage of the process is for each town council to apply to Waverley for the Borough Council to agree the neighbourhood area that their neighbourhood plan should cover. This report considers the respective neighbourhood area applications.

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**How this report relates to the Council's Corporate Priorities:**

The neighbourhood area applications do not have a direct relationship with the corporate priorities. However, neighbourhood plans must be in line with policies in the review of the Waverley's Local Plan. The review of the Local Plan will set out policies for development in accordance with all the corporate priorities.

**Equality and Diversity Implications:**

The designation of the areas will have no implications. However, under the neighbourhood planning regulations Waverley Borough Council is required to consult on the neighbourhood area applications to ensure that the community can comment on the areas that each neighbourhood plan is proposed to cover.

**Environment and Climate Change Implications:**

No implications with regard to this particular report.

**Financial Implications:**

There are no financial and resource implications arising from the neighbourhood area applications. If the neighbourhood areas are designated then Waverley Borough Council can claim for Government grant funding of £5,000 for each neighbourhood plan.

However, there will be financial and resource implications for the Council in meeting their other duties under the neighbourhood planning legislation. These are to advise and assist town and parish councils in preparing their neighbourhood plans, holding the examination and arranging a referendum. To this end a recommendation has been made at Star Chamber to employ a Neighbourhood Planner at an estimated annual cost of £33,000. There will be a further opportunity for the Council to claim

for funding to help meet the costs. £5,000 grant funding can be claimed when the Council publicises the neighbourhood plan prior to examination and then another £20,000 grant funding can be claimed once the examination is successfully completed and the examiner recommends that the neighbourhood plan can proceed to the referendum stage.

### **Legal Implications:**

The Council is required to determine the neighbourhood area applications in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012

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## **1.0 Introduction**

- 1.1 One of the neighbourhood planning initiatives introduced by the Localism Act 2011 is for local communities to prepare a neighbourhood plan. This allows them to shape the future of their own communities by planning where and what type of new development will take place in their local areas and what it should look like. A neighbourhood plan can include allocations for development such as housing and employment as well as policies for managing specific types of development. Once it is approved and comes into force it will take precedence over the non strategic policies in the local plan for making decisions on planning applications for that neighbourhood.
- 1.2 Where an area is covered by a town or parish council, a neighbourhood plan for that area can only be prepared by that town or parish council.
- 1.3 Certain procedures and requirements have to be carried out when preparing neighbourhood plans. Neighbourhood plans must be in line with Waverley's Local Plan. Therefore, a neighbourhood plan cannot plan for less development in an area than that proposed in the local plan and therefore must plan for an equal or greater level of growth.
- 1.4 However, It is up to the town or parish council to decide the scope of their neighbourhood plans. Where a neighbourhood plan does not make allocations or set out policies to manage specific development, then this responsibility will fall to the local plan.
- 1.5 Under the legislation the first stage of preparing a neighbourhood plan is for the town or parish council to apply to Waverley Borough Council to designate the neighbourhood area that they propose their neighbourhood plan should cover. Once it has been agreed then the neighbourhood plan can be prepared.
- 1.6 Farnham Town Council and Haslemere Town Council have each resolved to prepare a neighbourhood plan for their individual communities and therefore have applied to Waverley for the Borough Council to agree the neighbourhood areas they wish their respective plans to cover. In both cases the intention is for the neighbourhood plan to cover the entire area for which the town council is responsible. The neighbourhood area applications from Farnham Town Council and Haslemere Town Council are attached as Annexes 1 and 2 respectively.

## **2.0 Consultation**

2.1 Before Waverley Borough Council can determine the neighbourhood area applications it is required under the neighbourhood planning regulations to consult on the application proposals for 6 weeks to invite comments on the proposed areas and consider the responses made.

2.2 Therefore, for each neighbourhood area application the Council:

- advertised the area application on its website;
- publicised it in the Herald Newspaper Series; and
- wrote to statutory consultees, local residents associations, chambers of commerce, and adjoining district and parish councils to inform them that they can comment on the area application proposals.

2.3 The deadline for comments on both of the area applications ended on 4<sup>th</sup> January 2013.

## **3.0 Consideration of an Area Application**

3.1 Under the Localism Act 2011 Waverley Borough Council can only consider whether the area for which the neighbourhood area application is made is appropriate for the purposes of preparing a neighbourhood development plan. The legislation states that when determining an area application the Council must have regard to:

- the desirability of designating the whole of the area of a parish council as a neighbourhood area; and
- the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas.

3.2 The Council can also refuse to consider the application if another area application has already been made to designate the area and that application has yet to be decided.

## **4.0 Farnham Neighbourhood Area Application**

4.1 As a result of the consultation 11 letters supporting the neighbourhood area application were received.

4.2 As one of the borough councils adjoining Farnham, Guildford Borough Council has no comments to make on the area application. However, it has requested that it is kept informed as work on the neighbourhood plan goes forward.

4.3 As the area application from Farnham Town Council meets the requirements of the legislation and there are no representations that demonstrate that the area applied for is not appropriate for the purposes of a neighbourhood plan for Farnham, it is recommended that Waverley Borough Council approves the area application.

## **5.0 Haslemere Neighbourhood Area Application**

- 5.1 As an adjoining parish council to Haslemere, Grayshott Parish Council has asked that it is consulted on the preparation of the Haslemere Neighbourhood Plan, in particular for any developments planned for Hindhead.
- 5.2 An objection to the area applied for has been received from a local resident. He considers that Haslemere Town Council is not the appropriate body to prepare a neighbourhood plan as it has not demonstrated that it has the skills or mindset amongst its team of volunteers to consider the growth agenda set out in the National Planning Policy Framework. As such, it will not address the needs of Haslemere particularly in respect of employment and housing.
- 5.3 The objection is not relevant at this stage because the issue to be considered in an area application is whether the area applied for is appropriate for a neighbourhood plan for Haslemere. The Localism Act states that where an area is parished then only the parish council (or town in this case) can prepare the neighbourhood plan. As such, it is the responsibility of the town council to decide how it wants to prepare its neighbourhood plan. This is provided that its preparation meets the requirements of the legislation including consultation, ensuring conformity with the Local Plan and having the plan independently examined. These requirements will provide an opportunity to assess whether the neighbourhood plan itself is appropriate.
- 5.4 As the area application from Haslemere Town Council meets the requirements of the legislation and there are no representations that demonstrate that the area applied for is not appropriate for the purposes of a neighbourhood plan, it is recommended that Waverley Borough Council approves the area application.

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### **Recommendation**

That the Executive recommends to the Council that

1. the neighbourhood area application from Farnham Town Council for the purposes of the Farnham Neighbourhood Plan be approved; and
2. the neighbourhood area application from Haslemere Town Council for the purposes of the Haslemere Neighbourhood Plan be approved.

### **Background Papers**

There are no background papers (as defined by Section 100D (5) of the Local Government Act 1972) relating to this report.

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