

# **APPENDIX C**

## **WAVERLEY BOROUGH COUNCIL**

### **EXECUTIVE – 03/06/2014**

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#### **Title:**

#### **Appx C CHIDDINGFOLD AND ALFOLD NEIGHBOURHOOD PLAN AREA APPLICATIONS**

**[Portfolio Holder: Cllr Brian Adams]**

**[Wards Affected: Chiddingfold and Dunsfold]**

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#### **Summary and purpose:**

Chiddingfold and Alföld Parish Councils each intend to prepare a neighbourhood development plan (known as a neighbourhood plan). Under the neighbourhood planning legislation the first stage of the process is for the parish councils to apply to Waverley for the Borough Council to agree the neighbourhood area that their neighbourhood plans 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, these neighbourhood plans are likely to contribute towards the corporate priorities of providing more affordable housing, protecting the environment and understanding our residents' needs.

#### **Financial Implications:**

There are no financial and resource implications arising from the neighbourhood area applications, other than minimal officer time. Once the neighbourhood areas are designated then Waverley Borough Council can claim for Government grant funding of £5,000 per neighbourhood plan.

However, there will be financial and resource implications for the Council in meeting their other duties under the neighbourhood planning legislation. The Council has a duty to support communities preparing neighbourhood plans, including advising and assisting town and parish councils in preparing their plan, publicising the submitted plan, and arranging (and paying for) the examination and referendum. The Council can claim Government funding to help meet these costs (in addition to the £5,000 once the area has been designated). £5,000 grant (per plan) can be claimed when the Council publicises the neighbourhood plan prior to examination and then another £20,000 (per plan) 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. The Council must designate a valid neighbourhood area application, although it can refuse to designate the area applied for if it considers that the area is not appropriate. In such instances, reasons must be given and the Council must use its powers of designation to ensure that some or all of the area applied for forms part of one or more designated neighbourhood areas.

Although previous neighbourhood area reports were taken to the Executive and then to Council for a final decision, new national planning guidance states that decisions on neighbourhood planning should be taken by a Council's Executive, although the Executive can delegate responsibility for these decisions to a committee or other authority.

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## **Introduction**

- 1.1 The Localism Act 2011 allows local communities 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 becomes part of the development plan and takes precedence over the non strategic policies in the local plan for making decisions on planning applications for that neighbourhood.
- 1.2 In Waverley a neighbourhood plan can only be prepared by a town or parish council. 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.
- 1.3 Chiddingfold and Alfold Parish Councils have each resolved to prepare a neighbourhood plan for their individual communities and have applied to Waverley for the Borough Council to agree the neighbourhood areas they wish their respective plans to cover. These applications were both valid, as they each included
  - a statement explaining why the proposed neighbourhood area is appropriate,
  - a map identifying the proposed area to be covered and
  - a statement that the body making the application is a relevant body.
- 1.4 The intention is for the Chiddingfold neighbourhood plan to cover the entire parish area. However, the Alfold Neighbourhood Area application is for the whole Parish area excluding Dunsfold Park. The neighbourhood area applications from Chiddingfold and Alfold Parish Councils 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 For each neighbourhood area application the Council:
- advertised the area application on its website;
  - publicised it in the Herald Newspaper Series;
  - publicised it in the Surrey Advertiser; and
  - wrote to statutory consultees, 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 14<sup>th</sup> April 2014.

## **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 in parished areas, the Council must have regard to the desirability of designating the whole of the area of a parish or town council as a neighbourhood area and that where only a part of a parish council's area is proposed for designation, it is helpful for the reasons for this to be explained in the supporting statement.
- 3.2 National guidance states that the Council should aim to designate the area applied for, although it can refuse to designate the area applied for if it considers the area is not appropriate, giving reasons. However, some or all of the area applied for must form part of a designated neighbourhood area.

## **4.0 Chiddingfold Neighbourhood Area Application**

- 4.1 As a result of the consultation two responses were received, from Natural England and the Environment Agency. Natural England stated that they have no comment at this stage. The Environment Agency stated that they have no specific comments to make regarding the proposed plan boundary.
- 4.2 As the area application from Chiddingfold Parish 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.

## **5.0 Alfold Neighbourhood Area Application**

- 5.1 As a result of the consultation three responses were received, from Natural England, the Environment Agency and from the Garden Centre Group, the owners of Alfold Garden Centre. Natural England stated that they have no comment at this stage. The Environment Agency stated that they have no specific comments to make regarding the proposed plan boundary. The Garden Centre Group stated that they strongly support the designation of the proposed area.
- 5.2 The proposed neighbourhood area excludes the whole of the Dunsfold Park site, as shown on the map in Appendix D of the Pre-Submission Core Strategy as an employment allocation. Dunsfold Park is currently being promoted as a mixed use development through the Local Plan process. Although the promoters of Dunsfold Park were specifically consulted, they did not make a representation.
- 5.3 As the area application from Alfold Parish 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.

### **Recommendation**

That the Executive approves

1. the neighbourhood area application from Chiddingfold Parish Council for the purposes of the Chiddingfold Neighbourhood Plan; and
2. the neighbourhood area application from Alfold Parish Council for the purposes of the Alfold Neighbourhood Plan.

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### **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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