

ITEM 9: APPENDIX D

WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 08/07/2014

Title:

HASCOMBE NEIGHBOURHOOD PLAN AREA APPLICATION

[Portfolio Holder: Cllr Brian Adams]

[Wards Affected: Bramley, Busbridge and Hascombe]

Summary and purpose:

Hascombe Parish Council intends 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 Council to apply to Waverley Borough Council to agree the neighbourhood area that their neighbourhood plan should cover. This report considers this neighbourhood area application.

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

The neighbourhood area application does not have a direct relationship with the corporate priorities. However, the neighbourhood plan is 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 application, other than minimal officer time. Once the neighbourhood area is designated then Waverley Borough Council can claim for Government grant funding of £5,000.

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 can be claimed when the Council publicises the neighbourhood plan prior to examination and then another £20,000 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 application 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.

1.0 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 Hascombe Parish Council has resolved to prepare a neighbourhood plan for its community and has applied to Waverley for the Borough Council to agree the neighbourhood area it wishes the plan to cover. The application was valid, as it 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 Hascombe neighbourhood plan to cover the entire parish area. The neighbourhood area application is attached as Annexe 1.

2.0 Consultation

- 2.1 Before Waverley Borough Council can determine the neighbourhood area application it is required under the neighbourhood planning regulations to consult on the application proposal for 6 weeks to invite comments on the proposed area and consider the responses made.
- 2.2 For this neighbourhood area application the Council:
- advertised the area application on its website;
 - publicised it in the Surrey Advertiser; and
 - wrote to statutory consultees, chambers of commerce, and adjoining parish councils to inform them that they can comment on the area application proposals.
- 2.3 The period for comments on the area application ended on 19 May 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.
- 3.3 As a result of the consultation one response was received, from Natural England. Natural England's response neither supported nor objected to the area application but instead offered some general advice on matters to be considered when preparing a neighbourhood plan.
- 3.4 As the area application 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

It is recommended that the Executive approves the neighbourhood area application from Hascombe Parish Council for the purposes of the Hascombe Neighbourhood Plan.

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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