

LOCAL PLAN COMMITTEE

3 NOVEMBER 2016

REPORT OF THE HEAD OF PLANNING

A.2 ADOPTION OF ALRESFORD NEIGHBOURHOOD PLAN AREA

(Report prepared by Simon Meecham)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Local Plan Committee's agreement to designate the Alresford Neighbourhood Plan Area.

EXECUTIVE SUMMARY

Alresford Parish Council has submitted an application to Tendring District Council to agree the proposed Neighbourhood Plan Area (NPA). If designated, this application represents the initial stage in the preparation of the District's first Neighbourhood Plan.

Tendring District Council ran an eight-week public consultation exercise from July 14 until September 8 and invited residents and other interested parties to comment. Very few comments were submitted to the Council.

The justification provided by the Parish Council, the scale and nature of comments received as well as the recent changes to Neighbourhood Plan legislation have been evaluated and Officers consider the proposed Neighbourhood Plan Area to be acceptable.

Should Members wish to designate the proposed Plan Area; this will allow the Parish Council to proceed with the preparation of their Neighbourhood Plan.

RECOMMENDATION

That the Local Plan Committee agrees to designate the proposed Neighbourhood Plan Area as attached at Appendix A of this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

If designated by Members at a later date, the Alresford Neighbourhood Plan will form part of the Tendring District Development Plan and will be afforded equal weight as the Local Plan.

The Development Plan helps to implement place shaping priorities in the Corporate Plan 2016-2020 for Tendring District Council through:

- Community Leadership by engagement with the community and effective partnership working with technical stakeholders, developers and other interested parties;
- Health and Housing through policies that promote healthier lifestyles, a quality living environment, local regeneration and council house building; and
- Employment and Enjoyment through policies to support business growth and skill development and the protection and promotion of the natural and built environments.

The Development Plan is a project in the 2016-2020 Corporate Plan and is on target at the time of writing this report. The implication of a decision to support the recommendation in this report will demonstrate a local context to the Development Plan.

RESOURCES AND RISK

The Alresford Neighbourhood Plan Area has been prepared by Alresford Parish Council. The responsibilities for resourcing this project and the Neighbourhood Plan lie principally with the Parish Council. However, as this Council has statutory duties in regards to the preparation of the Local Plan and these will be discharged by the Planning Policy Team and any additional expenses funded through the 'Local Development Framework Budget'.

LEGAL

Under the Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004, Local Planning Authorities have a statutory duty to advise or assist communities in the preparation of Neighbourhood Development Plans (NDP).

A neighbourhood area is a defined area within an Local Planning Authority (LPA) that has been designated by the LPA as a neighbourhood area ([section 61G\(1\) Town Country Planning Act 1990, as amended](#)). An application for a neighbourhood area must be made either by a parish council or a neighbourhood forum. The content of the application has to be publicised in accordance with the Neighbourhood Planning (General) Regulations 2012 ("2012 Regulations") which sets out procedural requirements for designating a neighbourhood area.

When considering an application for a neighbourhood area, the LPA must take into account the

desirability of:

- Designating the whole of the area of a parish council as a neighbourhood area.
- Maintaining the boundaries of existing neighbourhood areas.

The LPA also has to consider whether the proposed area is appropriate (*section 61G(5), TCPA 1990*) and make its decision within a specified time limit, in accordance with the 2012 Regulations.

OTHER IMPLICATIONS

Area or Ward affected: Alresford.

Consultation/Public Engagement: The proposed Neighbourhood Plan Area was submitted for an eight-week public consultation exercise from July the 14th to September the 8th 2016.

PART 3 – SUPPORTING INFORMATION

The Alresford Neighbourhood Plan Area Application

Background

National Planning guidance requires that an application must be made by a Parish or Town Council or a prospective neighbourhood forum to the local planning authority for a Neighbourhood Planning Area to be designated. This should accord with regulation 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended) which represents the principle area of advice when considering a Neighbourhood Plan Area (NPA). This must include a statement explaining why the proposed neighbourhood area is an appropriate area.

This part of the regulations state:

Where a relevant body(1) submits an area application to the local planning authority it must include—

- (a) a map which identifies the area to which the area application relates;
- (b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
- (c) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

Description of the Proposed Plan Area and Justification by the Parish Council

The proposed NPA incorporates the entirety of the Parish of Alresford (see plan attached at Appendix A). Officers consider this to be an acceptable area for the Neighbourhood Plan and the map at Appendix A is considered to satisfy section (a) of the regulations.

Alresford Parish Council (APC) justified this position with the following statement:

“Alresford Parish Council hereby apply to Tendring District Council for the area currently within the Alresford Parish Boundary to be the Designated Neighbourhood Area. Enclosed is an ordnance survey map of Alresford with the Parish Boundary marked in red.

The whole of the existing Parish of Alresford has been nominated by Alresford Parish Council to be the specified “Designated Neighbourhood Area for Alresford” and is to be known as the Alresford Designated Neighbourhood Area, if approval of this status is granted by Tendring District Council. It is reasoned by Alresford Parish Council that the existing parish boundary marks the logical extent of any area that could be covered by an Alresford based plan and using it to define the limits of the plan will also avoid any doubt as to the Alresford Neighbourhood Designated Area should nearby parishes embark on their own Neighbourhood Plans.

Alresford Parish Council have identified a Councillor from the APC Planning Committee to lead the Neighbourhood Plan process and programme. Liaison and consultation will take place with neighbouring parish and town councils when producing the plan. We have explained to parishioners, via a number of open events, the intention to go forward with a Neighbourhood Plan and will now request expressions of interest from anyone interested in joining a steering committee. This group will comprise representatives from a diverse section of the community.

Alresford Parish Council wishes to state that it is a relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act.

Alresford is a parish which cares about how it's community develops and parishioners invest time and effort accordingly. This is demonstrated by the successful production and implementation of a parish plan some 6 years ago - a programme sponsored by the council but led and delivered by the community.

A Neighbourhood Plan (NP) is the natural next step, enabling us to create homes, jobs and facilities within the context of an emerging Local Plan. We want development in Alresford which enhances the built environment, protects the surrounding countryside and makes it accessible - the balance between these two environments is a key part of village life. We also want to future proof the community, so our NP will address a number of sustainability criteria including; energy, transport, health, employment, housing and conservation. We have therefore included the whole of the existing parish in our application for neighbourhood area designation.

We recognise the production of a NP will be challenging and, therefore, we'll appoint a consultant to deal with the technical matters of planning, as well as a project manager to run the programme. Both individuals will work closely with Tendring DC planning team to ensure a successful outcome to the process.”

Officers consider this to be an acceptable justification for the area of land proposed for the

Neighbourhood Plan. It is also considered that the above statement shows that Alresford Parish Council are a relevant body. The Parish Council have therefore satisfied sections (b) and (c) of the regulations.

In addition to the above, recent national policy changes which came into force on the 1st October add weight to officers' consideration. National Policy now states; for an application to designate a neighbourhood area, if a parish council applies for the whole of their area, then the LPA must designate the whole of this area. Whilst coming too late for this particular exercise, the change in legislation reinforces this decision.

Results of the Consultation

The Council received two representations in regard to the submitted NPA.

The first from Mr Dave Wendon, who gave his support to the application.

Gladman Developments Ltd were the second representative to the Alresford Neighbourhood Plan Area. The organisation highlighted key planning policy requirements in forming a Neighbourhood Plan and made reference to recent legal judgements. National planning policy contained within the NPPF and NPG is also explained and considered.

Recommendation and Next Steps

Members of the Local Plan Committee are therefore asked to designate the proposed Neighbourhood Plan Area as shown at Appendix A.

APPENDICES

Appendix A – Plan showing extent of proposed Neighbourhood Plan Area.