

Report for Head of Planning Services

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Date: 04/04/2013

Effingham Parish Neighbourhood Area Designation Report

Recommendation

That the Head of Planning Services designates the area enclosed by the Effingham parish boundary, shown on the map attached at appendix one, as the neighbourhood area for Effingham parish.

Reason(s) for Recommendation:

To comply with the Neighbourhood Planning (General) Regulations 2012, and to reflect the Council's evaluation of the proposal following the local public consultation.

1. Purpose of Report

- 1.1 To set out the reasons for designating the neighbourhood area (NA) as proposed and to inform the Head of Planning Services of the current situation following public consultation and consideration by planning officers.

2. Strategic Priorities

- 2.1 The Council has a strategic priority of preserving and enhancing a sustainable environment, both rural and urban, within the borough. Within this strategic priority there is a key delivery target of improving the quality of the built and natural environment while protecting the borough's heritage and character.
- 2.2 Policies produced through neighbourhood planning must be compliant with national planning policy and the goal of sustainable development. Designating a neighbourhood area in Effingham will enable the community to bring forward a neighbourhood plan that will help to achieve the strategic priority of creating a sustainable natural and urban environment.
- 2.3 Designating a NA will allow Effingham Parish Council (EPC) to access increased payments through the Community Infrastructure Levy when it is introduced. This

additional funding will allow the Effingham community to improve the quality of the local built and natural environment.

3. Background

- 3.1 Effingham is a parish and a ward situated at the eastern extent of the borough, adjacent to Mole Valley District and Bookham neighbourhood area.
- 3.2 Planning officers were initially contacted by EPC on 2 November 2012 and advised of EPC's intention to apply for designation of a NA and enter into neighbourhood planning. On 13 December 2012, planning officers received a draft of the application statement that proposed a NA based on the boundary of Effingham parish/ward and a statement supporting that proposal. Planning officers requested amendments to the statement and we received the final application on 20 December 2012. The application met the requirements specified in Regulation 5(1) of The Neighbourhood Planning (General) Regulations 2012 and was accepted.
- 3.3 Consultation on the proposals in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012 ran from 1 February to 14 March 2013.

4. Consideration of the proposals

- 4.1 EPC meets the required criteria to be considered a relevant body for the purposes of section 61G(2) of the Town and Country Planning Act 1990 (the Act). Consideration is therefore limited to whether or not the proposed NA is appropriate.
- 4.2 26 consultation responses were received. 25 were in support of the proposed NA and one was without comment (the respondent only checked the box asking for notification about future developments). None suggested the proposed NA is not appropriate.
- 4.3 The proposed NA is generally uniform in its rural/semi-rural character and is considered appropriate in terms of character and land use.
- 4.4 The existence of administrative boundaries (both ward and parish) means that local people will easily understand the proposed NA boundary and may have knowledge and experience of the planning issues within it. Additionally, local people are used to working with the parish administrative structure. Therefore the proposed NA is appropriate to facilitate the vision of community led planning sought by central government.
- 4.5 The Office for National Statistics often produces data along ward lines. Consequently, this data will be directly applicable to the proposed NA. Given the requirement for evidence-based policies, planning officers believe this will enable and improve any neighbourhood planning activities the community undertakes.

- 4.6 Section 61H of the Act requires a local planning authority to consider whether to designate the area concerned as a business area. As designation of the specified area can only be done if the authority considers that the area is wholly or predominantly business in nature (as per section 61H(3)), and officers consider that the proposed NA is primarily residential, the specified area cannot be designated as a business area.
- 4.7 Planning officers believe that the proposed neighbourhood area is appropriate in planning terms and should be designated without amendment.

5. Financial Implications

- 5.1 Neighbourhood plans and Neighbourhood Development Orders need to pass an independent examination. The cost of examination is estimated at £5-8,000. This cost must be borne by Guildford Borough Council.
- 5.2 Neighbourhood plans and Neighbourhood Development Orders need to pass a referendum. The cost for this is expected to be around £1.50 per head or £7,000 per ward. In the Effingham NA, the cost is likely to be £4,000-£7,000.
- 5.3 Guildford Borough Council will support the neighbourhood planning process. Support will require planning officers' time and some resources. The cost of this is unknown.
- 5.4 Guildford Borough Council can bid for a grant with a value of up to £30,000 to support neighbourhood planning in Effingham. This grant is payable in instalments with an initial payment of £5,000 available upon designation. For designations made at the present time, the date of this payment is yet to be set but is likely to be in June 2013. A further payment of £5,000 is available when the completed plan is publicised with the remaining £20,000 available when the plan passes examination. Designation of the NA does not guarantee that a neighbourhood plan will be completed or pass examination so the second and third instalments may not be granted.

6. Legal Implications

- 6.1 The Localism Act 2011 places a duty on councils to either designate the proposals, refuse to designate the proposals or designate the proposals with amendments. This must be done after the consultation period.
- 6.2 Councils may designate either through delegated powers or by committee decision.
- 6.3 Councils are empowered to amend the proposed boundary under section 61G of the Act if we consider it to be inappropriate.

7. Human Resource Implications

- 7.1 After designation, EPC intends to create a neighbourhood plan. The Council is obliged to support this process, a role that we view positively and will proactively fulfil. The new Local Plan is not yet in place so this commitment could be significant as officers will need to provide regular updates regarding emerging strategy. Conformity with the Local Plan's strategic priorities is a basic condition that a neighbourhood plan must meet in order to pass the examination process.

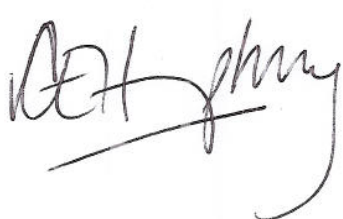
8. Conclusion

- 8.1 There are no barriers to designating the Effingham NA as proposed. Officers are satisfied that all requirements under the Neighbourhood Planning (General) Regulations 2012 have been met and that the area is appropriate in planning terms.

9. Background papers

Neighbourhood Planning (General) Regulations 2012

Localism Bill: neighbourhood plans and community right to build Impact assessment (DCLG, 2011)

 5 March 2013.

Appendix 1

