

NAME OF COMMITTEE	Resources
DATE	7th October 2014
REPORT TITLE	Application to designate Neighbourhood Plan Areas.
Report of	Strategic Planning Officer/Affordable Housing Officer
WARDS AFFECTED	Milton Ford, Bridestowe and Buckland Monachorum

Summary of report:

The following areas have submitted an application to the Council to designate a plan area in respect of preparing a neighbourhood plan.

- Milton Abbot Grouped and Kelly Parishes
- Bridestowe & Sourton Parishes
- Buckland Monachorum Parish

The applications have been advertised for six weeks during which comments were invited about whether the plan area is appropriate.

The Council has not received any objections to the designation of the plan areas which have been proposed.

Financial implications:

The financial impact of the assessment should be cost neutral due to the Council being able to claim back any associated costs as detailed in section 4 and below.

Where applications for plan areas are successful, the Council and individual parishes can apply for financial support from the Government to recognise the costs in assisting in the preparation of neighbourhood plans. More details are provided in Section 4.

RECOMMENDATIONS:

It is recommended that:

1. Members approve the designation of the Plan Areas for the purposes of preparing the Neighbourhood Plans; and.
2. Members support any future applications for financial support from central government to help cover the costs of the Local Authority associated with preparing a Neighbourhood Plan.

Officer contact:

Alex Rehaag – Strategy & Enabling Officer
01822 813722

1. BACKGROUND

- 1.1 The Localism Act and National Planning Policy Framework (NPPF) both came into effect in 2012. These encourage and support communities to prepare plans for their area.
- 1.2 The Council has adopted a Community-Led Planning Protocol which provides clear information on the procedures that will guide the neighbourhood planning process following the designation of a plan area at the local level.
- 1.3 The first step in the neighbourhood planning process is to designate the area which the plan will cover. This requires communities to make an application to the Borough Council. The application is subject to a six week consultation period where those who live, work or carry out business in the area are invited to comment on whether the proposed area is appropriate. There are other opportunities in the neighbourhood planning process to put forward ideas about what the plan should contain.
- 1.4 This Committee report considers three applications to designate plan areas in the following areas for the purposes of preparing a Neighbourhood Plan: Buckland Monachorum; Bridestowe and Sourton; and Milton Abbot Grouped Parish with the parish of Kelly. They are each to be assessed against the following five criteria set out in the Neighbourhood Planning Protocol:

Criteria
1. The applicant is an appropriate body with responsibility for leading the plan process (i.e. a town or parish council)
2. Terms of Reference for the group have been prepared and signed by all members of the group
3. The proposed area is suitable and reasons have been adequately demonstrated if it does not follow the boundaries of existing parishes
4. The area does not overlap any other designated neighbourhood area
5. The plan area does not prejudice other neighbourhood areas coming forward in the future

- 1.5 The applications for Buckland Monachorum and Bridestowe and Sourton will also be considered by Dartmoor National Park Authority (DNPA) as the areas fall within both West Devon Borough Council and DNPA planning authority's areas. These reports will be decided through delegated authority at DNPA.

2. ISSUES FOR CONSIDERATION

Milton Abbot Grouped Parish and Kelly Plan Area

- 2.1 Following discussions between the Parish Councils it was felt that it was appropriate to prepare a neighbourhood plan for the area which included all areas within the Milton Abbot Grouped Parish and Kelly Parish. This designation will allow the areas included within the application to respond to the needs and aspirations of the wider community. As such, this application has been made to formalise the designation as required by the 2012 Neighbourhood Planning Regulations.
- 2.2 The application was submitted to the Borough Council in August 2014 to designate the area that they intend their neighbourhood plan to cover. This area covers the extent of the parish boundary and can be viewed in **Appendix A**.
- 2.3 The application is accompanied by a Terms of Reference for the group that will be responsible for leading the process. This group has been endorsed by the relevant parish councils. The Terms of Reference for the group can also be viewed in **Appendix A**.
- 2.4 The application has been displayed throughout the area through the use of pink site notices and the opportunity to comment on the proposed designation has been publicised on the Parish Council website (www.chillaton.net), and on the Borough Council's website (www.westdevon.gov.uk).
- 2.5 The Council received six representations during the consultation period from Mid Devon District Council, Network Rail, the Highways Agency and Natural England. None of these bodies object to the proposed plan area.
- 2.6 As such, it is considered that the plan area is appropriate and can be designated for the purposes of preparing a neighbourhood plan for the Milton Abbot Grouped and Kelly Parish areas.

Buckland Monachorum Parish

- 2.7 The Parish Council felt that it was appropriate to prepare a neighbourhood plan for the area covering the whole of the parish. This would allow the 5 areas within the parish which are included within the application to respond to the needs and aspirations of the community. As such, this application has been made to formalise the designation as required by the 2012 Neighbourhood Planning Regulations.
- 2.8 Buckland Monachorum Parish lies within the West Devon and Dartmoor National Park Authorities planning area and as such the application has also been made to DNPA. This will be considered by delegated authority now the consultation period has closed.

- 2.9 The application was submitted to the Borough Council in August 2014 to designate the area that they intend their neighbourhood plan to cover. This area covers the extent of the parish boundary and can be viewed in **Appendix B**.
- 2.10 The application is accompanied by a Terms of Reference for the group that will be responsible for leading the process. This group has been endorsed by the relevant parish councils. The Terms of Reference for the group can also be viewed in **Appendix B**.
- 2.11 The application has been displayed throughout Yelverton, Milton Coombe, Crapstone, Buckland Monachorum and Clearbrook areas through the use of pink site notices and the opportunity to comment on the proposed designation has been publicised on the Parish Council website as well as at various events within the parish and on the Borough Council's website (www.westdevon.gov.uk).
- 2.12 The Council received seven representations during the consultation period from NHS England, Network Rail, Natural England, English Heritage, Tavistock Town Council (as an adjoining area), Police Liaison and The Highways Agency. None of these bodies object to the proposed plan area.
- 2.14 As such, it is considered that the plan area is appropriate and can be designated for the purposes of preparing a neighbourhood plan for the Buckland Monachorum Parish.

Bridestowe & Sourton Parishes

- 2.15 Bridestowe & Sourton Parish Councils have applied to designate a neighbourhood planning area. The Parish Councils felt that this was the most appropriate way to respond to the needs and aspirations of their communities (previously the Parish Councils had looked at preparing a community plan). As such, this application has been made to formalise the designation as required by the 2012 Neighbourhood Planning Regulations.
- 2.16 Sourton Parish sits within the West Devon and Dartmoor National Park Authorities planning area, therefore the application has also been made to DNPA. This will be considered by delegated authority now the consultation period has closed.
- 2.17 The application was submitted to the Borough Council and Dartmoor National Park Authority in August 2014 to designate the area that they intend their neighbourhood plan to cover. This area covers the extent of the parish boundary and can be viewed in **Appendix C**.
- 2.18 The application is accompanied by a Terms of Reference for the group that will be responsible for leading the process. This group has been endorsed by the relevant parish councils. The Terms of Reference for the group can also be viewed in **Appendix C**.

- 2.19 The application has been displayed throughout the areas of Bridestowe and Sourton through the use of pink site notices and the opportunity to comment on the proposed designation has been publicised on the Parish Council's websites and on the Borough Council's website (www.westdevon.gov.uk).
- 2.20 The Council received five representations during the consultation period from Natural England, Network Rail, South West Water, Police Liaison and The Highways Agency. None of these bodies object to the proposed plan area.
- 2.21 As such, it is considered that the plan area is appropriate and can be designated for the purposes of preparing a neighbourhood plan for the Bridestowe and Sourton Parishes.

3. LEGAL IMPLICATIONS

- 3.1 The Localism Act, National Planning Policy Framework and West Devon's adopted Core Strategy all make provision for communities to prepare plans that influence planning and development in their area.
- 3.2 This application is also made in accordance with the Council's adopted Community-Led Planning Protocol.
- 3.3 The "*Town and Country Planning, England, Neighbourhood Planning (General) Regulations 2012*" set out the procedures which govern the processes of neighbourhood planning.

4. FINANCIAL IMPLICATIONS

- 4.1 The financial impact of the assessment should be cost neutral due to the Council being able to claim back any associated costs as detailed below.
- 4.2 Once neighbourhood plan areas are designated, the Council can apply for financial support from the Government to recognise the authority's costs in assisting in the preparation of Neighbourhood Plans.
- 4.3 For member's information, the government has set out a programme of financial support for neighbourhood planning for 2014/15 for local authorities. The authority is able to claim for financial support for up to 20 designations during the financial year 2014/15. There are various payment stages to reflect the work involved. These are as follows:
- The first payment of £5,000 will be made following designation of a neighbourhood plan area (payment cap of 20 designations per year).
 - A second payment of £5,000 will be made when the local planning authority publicises the neighbourhood plan prior to examination.
 - The third payment of £20,000 will be made on successful completion of the examination and any other further steps that may be needed for the plan to come into legal force, including referendum.
- 4.4 The government has also made a separate funding stream available for communities to be able to access direct support or grant arrangements for up to

£7,000 to help them produce their plan. The Parish Councils have each applied for initial funding from Locality to assist with the preparation of their plan. It is anticipated that further funding will be made available to cover relevant costs in the future. The current funding available to these communities has to be spent by December 31st 2014.

- 4.5 Whilst these are the current arrangements at the time this report was prepared, the arrangements may change in the future. The Committee will be advised at future meetings of any changes.

5. RISK MANAGEMENT

- 5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	National Planning Policy Framework (NPPF) Localism Act 2011 Town and Country Planning, England Neighbourhood Planning (General) Regulations 2012
Considerations of equality and human rights:	This report seeks to ensure that communities are enabled to prepare community-led plans for their areas and that the process undertaken is fair, transparent and inclusive for everyone.
Biodiversity considerations:	There are no direct biodiversity implications arising from the report.
Sustainability considerations:	The designation will enable the community to prepare a plan to secure a sustainable future for the area.
Crime and disorder implications:	There are no proposals contained within this report which have direct crime and disorder implications to consider.
Background papers:	Community-Led Planning Protocol
Appendices attached:	Appendix A Milton Abbot Grouped and Kelly Parishes Neighbourhood Plan – Application form, Map and Terms of Reference Appendix B Buckland Monachorum application form, map and terms of reference, Appendix C Neighbourhood plan, map and terms of reference for Bridestowe and Sourton.

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Lack of plan to guide local development initiatives in the proposed designated areas.	If the plan area is not designated then the communities within the proposed designated areas cannot progress work on its plan. Without a plan in place, decisions relating to development in the Bere Peninsula will defer to national and Borough-level planning policy.	2	2	4	↑	Approve the designation of the plan area	Strategic Planning
2	Designated areas do not include parts of the parish within the Dartmoor National Park	Two of the designated areas include parts of the parish which are within the Dartmoor National Park and which are governed by a separate planning authority. This means that the Neighbourhood Plans will need to be consistent with two different planning frameworks and appropriate administrative arrangements will need to be made. However, not including the whole area could affect the ability of the Neighbourhood Plan to effectively address planning issues which affect the area as a whole.	3	3	6	↑	Approve the designation of the plan area	Strategic Planning

Direction of travel symbols ↓ ↑ ⇄