

REPORT TO: Planning Portfolio Holder

11 December 2017

LEAD OFFICER: Joint Director for Planning and Economic Development

Neighbourhood Planning

Purpose

1. The purpose of the report is to provide feedback on the consultation that was carried out with all the Parish Councils (PCs) in the district regarding the draft guidance on neighbourhood planning arising out of the work of the Neighbourhood Planning Task and Finish Group (NPTFG).
2. This is not a key decision because it will only impact upon those parishes within the district wishing to prepare neighbourhood plans and it was first published in the November 2017 Forward Plan.

Recommendations

3. It is recommended that Planning Portfolio Holder:
 - Note the comments submitted by PCs during the neighbourhood planning consultation summarised in paragraphs 10-24 and included in Appendix 1;
 - Agree the proposed changes to the Neighbourhood Planning Toolkit as set out in Appendix 1 and summarised in paragraphs 10-24;
 - Agree to formally adopt the Neighbourhood Planning Toolkit as planning guidance as set out in Appendix 2;
 - Agree to formally adopt the standard support offer to PCs (or groups of parishes) preparing a Neighbourhood Plan and the Memorandum of Understanding as set out in Appendix 3;
 - Agree that consultation with PCs on future guidance notes be as set out in paragraph 26 starting with the two additional topics included in Appendix 4 and that after such consultation officers be given delegated powers to include/add such guidance to the adopted Neighbourhood Planning Toolkit.
 - Agree to include within the annual review of neighbourhood planning agreed by Cabinet in September 2017 an update on the Neighbourhood Planning Toolbox and a review of the standard support offer to PCs.

Reasons for Recommendations

4. There is a growing level of interest in Neighbourhood Planning across the district. A Task and Finish Group was established in late 2016 which developed local guidance on Neighbourhood Planning including on the support that this Council could provide to parish neighbourhood planning groups. A consultation was carried out with all PCs in the district on this draft guidance and the draft standard support offer.

Background

5. The Planning Portfolio Holder decided in June 2016 to set up a Neighbourhood Planning Task and Finish Group (NPTFG) to oversee the development of a package of local guidance leaflets for key aspects of neighbourhood plan preparation, and to

set out a standard approach to how this Council would fulfil its statutory duty to support neighbourhood planning groups. Membership of the group comprising a number of District Councillors, Parish Councillors, Parish Clerks, officers and chaired by the Planning Portfolio Holder.

6. A number of meetings of the NPTFG took place during 2016-17 with the outcome that a suite of guidance documents was drafted to cover key stages in the preparation of a Neighbourhood Plan. These documents are together called the 'Neighbourhood Planning Toolkit' and it has been provided in a form that individual topics can be accessed separately or in any combination, or alternatively can be printed out as a complete document at any point in time. It is published on the neighbourhood planning pages of the South Cambridgeshire District Council's website. <https://www.scambs.gov.uk/services/neighbourhood-planning>

7. The draft Neighbourhood Planning Toolkit covers the following topics:

Deciding to Produce a Neighbourhood Development Plan:

- Is a Neighbourhood Plan the Right Tool for your Parish
- Getting Started

Preparing the Plan:

- Getting a Neighbourhood Area Designated
- Developing a Vision and Objectives
- Generating Options
- Writing Planning Policies*
- Strategic Environment Assessments (SEA)*
- Sources of Evidence and Information

Additional Guidance

- Community Engagement and Neighbourhood Plans
- What are the Basic Conditions and How to Meet Them
- Strategic Policies
- Site Assessments
- Maps for Neighbourhood Plans
- Affordable Housing

¹The guidance notes marked with an asterisk were not included in the consultation – see paragraph 26.

8. Also the NPTFG helped in the preparation of a draft standard support offer to PCs which sets out clearly how the Council will support PCs at the different stages of preparing their plans. A Memorandum of Understanding was also produced to set out how PCs and the Council will work together. These documents are published on the Council's website.
9. At a meeting of the Cabinet on 14 September 2017 it was agreed to consult for a six week period with all the PCs in the district on the draft Neighbourhood Planning Toolkit and the standard support offer.

The Consultation

10. Consultation on the draft Neighbourhood Planning Toolkit was carried out from 18 September until 30 October 2017.
11. Comments were received from three neighbourhood planning groups (NPG) all of whom are currently preparing neighbourhood plans in the district – Cottenham NPG;

Stapleford and Great Shelford NPG and Waterbeach NPG. A summary of all their comments with the Council's response and proposed changes is contained in Appendix 1.

12. The main comments received on the Neighbourhood Planning Toolkit and Support offer are outlined below.
13. Cottenham NPG suggested changes to the introduction to the Toolkit to ensure it explains fully the pros and cons of preparing a neighbourhood plan. The Council does not want to duplicate information and is aware that these questions are included in another guidance note, 'Is a Neighbourhood Plan right for your Parish?' It is proposed to amend the introduction by shortening it to have just key facts.
14. The flow chart in Appendix 1 of the guidance note 'Is a Neighbourhood Plan the right tool for your Parish' has been amended. Cottenham NPG had pointed out that it did not include all the different options available to a local community. Such a chart would have been too complex and so it now states that this only shows the main alternatives.
15. It is recognised by the Council that preparing a neighbourhood plan is a complex task and needs a range of skilled people to join the steering group to guide the local community through the different stages in plan making. Two of the NPGs who commented suggested additional skills that would be required in the steering group and these have been added to guidance note 'Getting Started' along with a mention of the range of tasks need to be carried out to prepare a plan.
16. Cottenham NPG considers that the guidance note on 'Getting a neighbourhood area designated' has not included the disadvantages for PCs who may want to join together to prepare a plan. For some parishes with similar issues joint working can be an advantage. Resourcing the project can be a concern for PCs and there is only one Locality grant available per plan so a joint plan would not be eligible for more than one Locality grant. This information has now been added to the guidance.
17. The Strategic Policies in both the Local Development Framework and the emerging Local Plan have been agreed by the Planning Portfolio Holder and our approach supported by our legal section and submitted to the Local Plan Inspector for inclusion in the Local Plan on its adoption. When the next Local Plan is being prepared the Council will be mindful of the requirements of neighbourhood planning regarding strategic policies and endeavour to set out clearly within the plan those policies that a neighbourhood plan will have to be in general conformity with.
18. Cottenham NPG has suggested that the site assessment guidance could be simplified. However, the Council considers that a robust method must be used for assessing sites to avoid challenge to proposed allocations in a draft plan from developers. The guidance note has followed the method used by the Council in assessing sites for the emerging Local Plan.
19. Cottenham NPG considers that only those maps that are uniquely available from the Council should be part of the guidance note on 'Maps for Neighbourhood Plans'. However the Council's experience to date has found that for many PCs do not have the technical expertise regarding mapping and have approached the Council for help.
20. Cottenham NPG considered the draft standard support offer to PCs to be limited and duplicating resources available elsewhere. The Council has a duty to support PCs preparing neighbourhood plans and as there are over a hundred parishes in the

district there is a need to ensure the Council can offer the same level of help to all within the district. Through the support offer the Council has set out clearly what help it will provide to individual PCs through their plan making ranging from attending meetings; commenting on draft plans and helping to finance a pre-submission health check. The on-line guidance does not simply duplicate but provides a South Cambridgeshire focus to the different aspects involved in preparing a plan. Preparing a plan can be a complex task and the Toolkit encourages PCs to consider employing their own planning adviser to assist plan preparation.

21. Waterbeach NPG has questioned the need for the Council to have 3 weeks to response to commenting on emerging draft policies that is included in the support offer (Step Five). The Council has a duty to support all the PCs in the district who are preparing neighbourhood plans. This workload to date has been irregular and can coincide with busy periods on other agreed work priorities for the Planning Policy team such as the Local Plan examination. The experience to date of commenting on draft plans submitted by PCs is that in order to provide a full response this has often involved the planning officers having to engage with other technical officers within the Council. Undoubtedly PCs will want to receive as full a response as possible. In order to plan the team and Council's resources 3 weeks is a realistic response time. However it should be highlighted that the Council will keep any PC informed of the likely date when they can expect a response recognising that it does not create a good working relationship if responses are delayed unreasonably.
22. The Council as part of its support offer will organise and pay for one SEA and Habitat Regulations Assessment (HRA) Screening of a NP up to a maximum cost of £1000. This offer has included a cost limit as there are only limited resources available for neighbourhood planning in the district. The Council has no obligation as part of its duty to support to provide financial assistance and this offer recognises that such screenings are a vital part of the plan making but involve specialist expertise that a PC is unlikely to have in its steering group.
23. The Council is keen to be kept informed of the progress of all the different neighbourhood plans being prepared within the district. To this aim a 'milestone chart' has been attached to the Memorandum of Understanding (MOU) which the Council would use for each PC to set out their plan timetable so that the Council is aware of when help may be required. This will help in making the best use of the Councils' resources. Cottenham NPG does not consider that all the milestones have been included in the chart and may imply that preparing a plan is a simple timeline process. The Council considers that the chart can be amended/tailored to reflect the progress of each neighbourhood plan and therefore does not need to include every possible milestone.
24. Waterbeach NPG has proposed that the Council should show greater commitment to meeting deadlines when a request is made by a PC for assistance. They have suggested a change to the MOU. However the Council has a duty to support all the PCs in the district who are preparing neighbourhood plans. The Planning Policy team has a range of work streams that may overlap with neighbourhood planning work as is set out in paragraph 21. The Council will keep a PC informed of when a response can be expected but may not always be able to prioritise the request for help from a PC if other work in the team has priority.

Additional Planning Guidance

25. Two additional guidance notes have been drafted for the Council by planning consultants for the Toolkit. These are:

- Writing Planning Policies
- Strategic Environment Assessments (SEA)

26. It had been the Council's intention to include these in the consultation of the first suite of documents but these were not ready in time. They are now drafted and have been included in this report – Appendix 4. PCs will be made aware of these new documents through the next planning policy monthly update email that is prepared by the Planning Policy Team and sent to all PCs. PCs will be asked to provide any comments within a set 4 week period. Unless significant comments are received on these guidance notes it is proposed that the Planning Portfolio Holder give officers delegated powers to include these within the adopted Neighbourhood Planning Toolkit at the end of the consultation taking account of representations received as appropriate.

Next Steps

27. It is the intention of the Council to maintain the Neighbourhood Planning Toolkit' as live documents on the Council's website. It is recognised that other guidance topics may be helpful to PCs moving forwards and these will be added as they become ready. It is intended that the scope of the Toolkit will be kept under review and updated as necessary and informed by feedback from PCs preparing neighbourhood plans. The monthly update will be used as the means to keep PCs informed of any changes or additions to the Toolkit and to give them the opportunity to comment on new guidance following the method used for the additional guidance notes set out in paragraph 26 above. It will be clearly indicated on any guidance note the date when it was last reviewed or updated to avoid confusion.

28. At a meeting of the Cabinet on 14 September 2017 it was agreed that the resource and budgetary implications of Neighbourhood Planning be reviewed annually when preparing the Service Plan. This annual review could also provide an opportunity to update the Planning Portfolio Holder on any changes made to the Toolkit and include a review of the standard support offer. As more PCs progress in their plan making and the Council learns how best to support the local communities in the district it may be necessary to update the support offer to PCs.

29. The NPTFG provided an invaluable means for the Council to work together with representatives from the local communities to produce guidance notes and a support offer document. When the Neighbourhood Planning Toolkit is adopted the substantive work of the NPTFG will be complete.

30. Following the adoption of the Toolkit and the Support Offer officers will approach all those PCs preparing neighbourhood plans to give them the opportunity to sign up to the Memorandum of Understanding. This could provide the chance to see if any wish to be involved in a voluntary parish sounding board to help officers keep the guidance up to date and the standard support offer relevant and appropriate.

Options

31. With reference to the report recommendations the Planning Portfolio Holder could approve, reject or amend each recommendation.

Implications

32. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

Financial

33. The Council is able to apply for a grant of £20,000 from the Department of Communities and Local Government (DCLG) once a Neighbourhood Plan has been through examination and a referendum date set. The grant is intended to cover this council's obligations in supporting neighbourhood planning, including cost of the examination and referendum which the Council is responsible for paying.

Staffing

34. The capacity of the Planning Policy Team was increased in 2016 when a Project Officer post was added to team, to be funded retrospectively by DCLG grant that is now payable at the end of the neighbourhood plan making process.

Equality and Diversity

35. Each Neighbourhood Plan has to take account of equality and diversity issues as appropriate to the content of the plan.

Consultation responses

36. None

Effect on Strategic Aims

Aim 1 – Living Well

37. By preparing a neighbourhood plan local communities are empowered to develop appropriate policies to address particular issues of concern to their communities.

Aim 2 – Homes for our future

38. Local communities can consider how to meet existing and future local housing needs in their neighbourhood plans.

Aim 3 – Connected communities

39. Neighbourhood plans are an opportunity for local communities to work together on shared concerns and priorities.

Aim 4 – An innovative and dynamic organisation

40. Neighbourhood planning engages local people in the planning process and gives them tools to guide future development in their villages. The Council has a duty to support Parish Councils preparing plans, and to do this as effectively as possible will keep its support offer and support capacity under review.

Appendices

Appendix 1: Summary of the responses to the consultation with PCs

Appendix 2: Revised Neighbourhood Planning Toolkit.

Appendix 3: Standard Support Offer to PCs;

Appendix 4: Additional Neighbourhood Planning Guidance notes:

- SCDC Policy-Writing template
- Strategic Environment Assessments (SEA)

Background Papers

Neighbourhood Planning (Report to Cabinet 14 September 2017 – item 9)

<http://scams.moderngov.co.uk/ieListDocuments.aspx?CId=293&MId=7005&Ver=4>

Neighbourhood Planning in South Cambridgeshire (Report to Planning Portfolio Holder 7/7/2016)

<http://scams.moderngov.co.uk/uuCoverPage.aspx?bcr=1>

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