

| Sustainable Development Select Committee | | | |
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| Title | Neighbourhood planning update | Item No | 3 |
| Contributors | Planning Service | | |
| Class | Part 1 | Date | 9 September 2014 |

1. Purpose

- 1.1. The report updates the Sustainable Development Select Committee on neighbourhood planning issues in the borough.

2. Recommendation

- 2.1. The Select Committee is asked to note the content of the report and direct questions to officers at the meeting on the 9 September 2014.

3. Policy context

- 3.1. The Localism Act 2011 allows Neighbourhood Forum to prepare Neighbourhood Plans that once adopted are legal documents that must be considered when making decisions on planning applications. They are prepared by the local community but formally adopted after a successful referendum held by the Council. Once adopted they become part of the Development Plan for the Borough and as such are part of the Council's policy framework.

4. Background

- 4.1 The Localism Act 2011 sets out permissive powers which allow local communities to influence the planning of their area by preparing Neighbourhood Plans.
- 4.2 Neighbourhood plans are prepared by local people, not by local authorities. Local people must group together to form a neighbourhood forum in order to prepare a local plan.
- 4.3 Local people must submit an application to become a neighbourhood forum to the Council, and must also submit an application to define their neighbourhood area to the Council, before they can begin preparing a neighbourhood plan.
- 4.4 The designation of a neighbourhood forum and a neighbourhood area are two separate processes, which none the less can be undertaken simultaneously.

- 4.5 The Mayor of Lewisham has the power to determine applications for the designation of neighbourhood forums and areas.
- 4.6 Neighbourhood plans are about local issues rather than strategic planning issues. They must take account of national planning rules and be in 'general conformity' with the existing adopted planning framework for Lewisham. The government's aim is that they will promote development, they are not about attempts to stop development.
- 4.7 When the plan has been through all the stages of preparation, examination and a successful referendum the Council must adopt the plan as a statutory planning document and it will become part of the development plan for the borough. Under planning law the development plan is the primary consideration when considering planning applications.
- 4.8 The Localism Act 2011 introduced changes to the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004. These changes set out the local planning authorities' responsibilities as:
- Agreeing and designating the area of the neighbourhood plan
 - Agreeing and designating a neighbourhood forum
 - Providing advice and support to the neighbourhood forum in preparing the neighbourhood plan
 - Arranging and paying for an Independent Examination of the neighbourhood plan
 - Arranging and paying for a local referendum

5. Update on neighbourhood planning issues in the borough

- 5.1 The Council has received two applications for the designation of neighbourhood areas and forums, relating to the Crofton Park and Honor Oak Park area and the Grove Park Area.
- 5.2 As of 28 August 2014, the Council has designated one forum and area; Crofton Park and Honor Oak Park.
- 5.3 The application from Grove Park has yet to be determined.
- 5.4 There have been discussions with representatives from a number of areas of the borough and there are currently two areas which have expressed a recent interest in neighbourhood planning, but have yet to make a formal submission. These are New Cross and the Corbett Estate.
- 5.5 Please see the sub sections below for further details.
- 5.6 *Crofton Park and Honor Oak Park*
- 5.7 The Council received an application in January 2014 to designate the boundary of Crofton Park Ward as a neighbourhood area, and to designate a neighbourhood forum called Crofton Park and Honor Oak Park Neighbourhood Forum for this boundary.

- 5.8 The Council consulted the local community via a newsletter sent to all dwellings and businesses within 150m of the area, placed an advert in the local newspaper, published the applications on the Council's website, issued a press release, and contacted individuals and businesses on the Council's planning consultation database.
- 5.9 Eighty four responses to the consultation were received from members of the public and from organisations. There were twenty seven representations in support of the proposal, eight offering qualified support, and thirty seven against the proposal. The remaining twelve representations provided general comments without stating support or objections.
- 5.10 Officers assessed the application, and found all legal requirements were met, meaning the Mayor could designate the forum and area. However, objections were received from some local residents concerned that those outside of the proposed area may be excluded from engaging with the forum. In light of objectors' concerns, the Council worked with the Forum to widen forum membership to include those who live outside of the proposed boundary, albeit without forum voting rights. Officers considered that this would promote community cohesion and would ensure that those outside of the proposed boundary would be able to participate.
- 5.11 Subsequent to the consultation and modifications, officers recommended that the application be approved. The Mayor of Lewisham designated Crofton Park and Honor Oak Park as a neighbourhood forum and area on 16 July 2014.
- 5.12 Upon designation of the forum and area, the Forum and the Council are able to separately apply for funding from central government.
- 5.13 The Forum is able to apply for a grant of up to £7,000 to help progress their neighbourhood plan. The grant money can be spent on such things as printing and postage costs for consultation exercises, and can also be used to enlist professional advice.
- 5.14 Alternatively, the Forum is able to apply for direct support from neighbourhood planning experts who are able to provide advice and assistance in completing the various stages of the plan making process.
- 5.15 Grant and direct support applications are made via the Locality website at <http://mycommunityrights.org.uk> . They are made by the Forum, and not by the local authority. The money or the direct support is given directly to the Forum, and does not go via the Council.
- 5.16 The Council is able to claim separate funding to enable it to meet its statutory neighbourhood planning duties to provide advice or assistance, to carry out consultation, to process and determine neighbourhood planning applications, to hold examinations, and to make arrangements for referenda.

- 5.17 The Council is currently able to claim up to £10,000 from central government. The money is specifically provided in order to help the Council meet its statutory duties, and is separate from the funding directly available to the Forum. The funding is intended to cover expenses and the cost of officer time. It is estimated that these external and internal costs to the Council currently stand at £6,630. Officers will apply for this funding in September 2014.
- 5.18 The next step is for the forum to begin preparing a neighbourhood plan. The Council will advise and assist in this process. The Planning department will set out the types of advice and assistance it can offer in order to aid the Forum through the process.
- 5.19 *Grove Park*
- 5.20 The Grove Park Neighbourhood Forum submitted applications in February 2014 for the designation of a neighbourhood forum and area.
- 5.21 The Council consulted the local community in the same manner as for the Crofton Park and Honor Oak Park applications. A newsletter was sent to all dwellings and businesses within 150m of the area, an advert was placed in the local newspaper, applications were published on the Council's website, a press release was issued, and individuals and businesses on the Council's planning consultation database were contacted.
- 5.22 The Council discovered an error in the initial consultation publicity. The error was corrected, and the consultation period was extended for a further seven days as a result. The consultation period closed in May 2014.
- 5.23 However, after the consultation closed, the Grove Park Neighbourhood Forum made the decision to withdraw the original application and submit a new application with a slightly extended neighbourhood area boundary in June 2014. The extended boundary covers the Grove Park Cemetery. The remainder of the application remained identical to the original.
- 5.24 The Council has commenced a further consultation exercise regarding the new application. The consultation period closes on the 8th September 2014.
- 5.25 Once the consultation period has closed, officers will consider the representations and will consider whether the applications meet the legal requirements for designation as part of the process of preparing a report to be presented to the Mayor for his decision on designation. The report is expected to be presented at the Mayor and Cabinet meeting on 23 October 2014.
- 5.26 *New Cross*
- 5.27 The Council has been in communication with a local community group in the New Cross area which is interested in setting up a neighbourhood forum. The group has given presentations to the New Cross and Telegraph Hill ward assemblies in order to engage the local community.

- 5.28 The group has also arranged monthly forum meetings, and undertaken community engagement events.
- 5.29 The group expects to submit its application to become a neighbourhood forum in autumn 2014. The group has been advised of the timescales involved in the process.
- 5.30 *Corbett Estate*
- 5.31 Officers met with members of the Archibald Corbett Society, from the Corbett Estate, on 22 August 2014 to discuss their aspirations for a neighbourhood plan for their area. Officers advised the residents of the processes and timescales involved. The society expects to submit its application to become a neighbourhood forum in autumn 2014.

Background Documents:

Report to Mayor and Cabinet regarding the designation of a neighbourhood forum and area for Crofton Park and Honour Oak Park:

<http://councilmeetings.lewisham.gov.uk/documents/s30255/Designation%20Crofton%20Park%20and%20Honour%20Oak%20Neighbourhood%20Forum.pdf>

An introduction to neighbourhood planning:

<http://www.lewisham.gov.uk/myservices/planning/policy/LDF/Neighbourhood-plans/Documents/InformationNote1NeighbourhoodPlanning.pdf>

An explanation of the process for creating a neighbourhood forum:

<http://www.lewisham.gov.uk/myservices/planning/policy/LDF/Neighbourhood-plans/Documents/InformationNote2NeighbourhoodPlanning.pdf>

Guidance note regarding funding for neighbourhood forums:

<http://mycommunityrights.org.uk/wp-content/uploads/2013/04/Guidance-notes-for-applicants-July-2014.pdf>

If you have any questions about this report, please contact Brian Regan, Planning Policy Manager (ext. 48774) or David Knight, Planning Policy Officer (ext. 4669).