

Sustainable Development Select Committee			
Title	Neighbourhood planning update	Item No	5
Contributors	Planning Service		
Class	Part 1	Date	15 September 2015

1. Purpose

- 1.1. The report provides an update on the progress of neighbourhood planning and forums in the borough. This update on neighbourhood planning follows on from the report that was presented to the Sustainable Development Select Committee on 9th September 2014.

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 15 September 2015.

3. Policy context

- 3.1. The 2011 Localism Act allows a 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 and examined by a Planning Inspector who will check that the neighbourhood plan is in general conformity with existing planning policy. If found sound, neighbourhood plans are then 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 2011 Localism Act 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 neighbourhood 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 but which 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, rather than prevent development. A neighbourhood plan can address a range of issues or a specific issue in their area (for example encourage more greening) and/or allocate sites (for example designating a new housing site, designating a green space as a 'local green space').
- 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. Therefore, once a neighbourhood plan has been made, any planning application within that area must be determined against national, regional, local and *neighbourhood* planning policies.
- 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 the progress of neighbourhood planning in the borough

- 5.1 A report to the Sustainable Development Select Committee on 9th September 2014 informed Members that as of 28 August 2014, the Council had designated one neighbourhood forum and area; Crofton Park and Honor Oak Park with the applications from Grove Park yet to be determined.
- 5.2 At that time, there had also been discussions with representatives who had expressed an interest in neighbourhood planning, but had yet to make a formal submission. These were New Cross and the Corbett Estate.
- 5.3 Since September 2014, the Mayor has designated the Grove Park Neighbourhood Area and Forum and the Corbett Estate Neighbourhood Area and Forum. An application to designate a neighbourhood area that would

cover 5 boroughs at Crystal Palace has been submitted, but requires more information to be validated.

5.4 Officers have also been in discussion with two separate groups (the Lee group and Deptford Neighbourhood Action Group) who have now submitted cross boundary applications with Royal Borough of Greenwich. The Lee group submitted their application on 7th August 2015 and the Deptford group submitted their application on 12th August 2015.

5.5 Please see the subsections below for further details.

Designated neighbourhood areas and forums

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 Subsequent to the consultation and modifications (which is outlined in detail in the report to Members on 9th September), 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.

5.9 The Crofton Park and Honor Oak Park Forum (who also refer to themselves as the HopCroft Forum) have now started to prepare their neighbourhood plan. The Forum have approached Council officers with draft vision and objectives document. The Forum have also appointed consultants to produce a report containing site identification and assessment which will eventually form the basis for site allocations in the neighbourhood plan.

5.10 Officers attended a meeting with representatives of the HopCroft Forum on 29th July. During this meeting, officers provided information and advice regarding their draft site identification document in order to assist the development of their neighbourhood plan.

5.11 *Grove Park*

5.12 The Grove Park Neighbourhood Forum submitted applications in 2014 for the designation of a neighbourhood forum and area.

5.13 After the initial 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 Council then commenced a further consultation exercise regarding the new application. The consultation period closed on the 8th September 2014.

- 5.14 The revised applications were placed on the planning policy webpage and comments invited. In addition to this statutory requirement, a publicity notice was circulated to all households and businesses within 150m of the proposed extension to the original area to ensure that anyone excluded from the original consultation would be included in the revised consultation. Emails or letters were also sent to those who had responded to the original consultation.
- 5.15 During the course of the two consultations periods, thirty three responses were received from members of the public and from organisations. There were fourteen representations in support of the proposal, and six against. The remaining thirteen representations provided general comments without stating support or objections.
- 5.16 The Mayor approved the designation of the Grove Park Neighbourhood Area and creation of the Grove Park Neighbourhood Forum at the Mayor and Cabinet meeting held on 23 October 2014.
- 5.17 The Grove Park Neighbourhood Forum have been progressing their neighbourhood plan. On 29th November and 3rd December 2014 approximately 40 forum members and stakeholders came together at two events to continue the process of developing the Grove Park Neighbourhood Plan.
- 5.18 The Grove Park Neighbourhood Forum have now produced a first draft of their emerging neighbourhood plan which was published on their website on 1st April 2015. This document contains a summary of the plan-making process, what has been produced so far, information on the neighbourhood area and then the next steps for the plan.
- 5.19 *Corbett Estate*
- 5.20 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.
- 5.21 The Corbett Estate Neighbourhood Forum and Area applications were received by the planning service in December 2014. The planning service checked that the correct paperwork had been submitted and then arranged for the statutory 6 week publicity to be given to the applications. Public consultation was carried out between 26 January 2015 and 9 March 2015.
- 5.22 During the course of the consultation period, forty six responses were received from members of the public and from organisations. There were twenty seven representations in support of the proposal, and four against.
- 5.23 Additionally, four respondents offered qualified support, stating that they would support the proposal if the area was expanded to include their dwelling. Eleven further people and organisations responded but did not state whether they supported or objected to the proposal.

- 5.24 The Mayor decided to designate the Neighbourhood Area and approve the Corbett Estate Neighbourhood Forum at the Mayor and Cabinet meeting held on 22nd April 2015.
- 5.25 Representatives from the Corbett Estate Neighbourhood Forum met with officers on 3rd July. Officers of the Council provided advice to the forum to discuss which key aims and objectives could be supported through the neighbourhood plan and which issues would have to be addresses via alternative means. The Forum's aim to designated the Corbett Estate as an area of special character and general advice relating to the planning system and existing policy framework was also discussed.
- 5.26 The next steps for the Corbett Estate Neighbourhood Forum is to continue to develop their ideas in order to start to draft their neighbourhood plan.

New applications for neighbourhood area and forum

- 5.27 *Crystal Palace and Upper Norwood*
- 5.28 The community group, 'Crystal Palace and Upper Norwood', submitted a cross borough dual application for neighbourhood area/neighbourhood forum designation on the 27th March 2015. The proposed neighbourhood area boundary includes pockets of land within the London Borough of Bromley, the London Borough of Croydon, the London Borough of Lambeth, the London Borough of Southwark and the London Borough of Lewisham. LB Lambeth are acting as the lead authority for these applications.
- 5.29 An officer meeting was held across the five London boroughs on the 27th April 2015 to discuss the procedural implications of the above dual application. The five London Boroughs are of the view there is currently insufficient evidence to be able to validate the dual application at this stage against requirements set out in the Localism Act, 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 5.30 The Crystal Palace and Upper Norwood emerging Neighbourhood Forum was subsequently invited to attend a meeting on 29th May where further information was requested in relation the consultation, area and objectives. As of 6th August 2015 the requested information has not been submitted and as such the application has not progressed. Once the required information is submitted, officers will attend a meeting with all impacted authorities to validate the application and plan the statutory processes that are required to determine the applications as a combined approach.
- 5.31 *Lee Forum*
- 5.32 The Lee group have been in dialogue with both Lewisham and Greenwich council officers. A meeting was held on 17th June to discuss the consultation carried out by the group up to that date, their key objectives and a timetable for submitting an application. A draft application was subsequently submitted at the beginning of July for comment and a full application for the designation

of the Lee Neighbourhood Area and Forum have been submitted to both Lewisham and Greenwich Council on 7th August 2015.

- 5.33 The application for the creation of the neighbourhood forum outlines the aims and aspirations of the group, one of which is *'ensure that Lee Green town centre is developed holistically, rather than as the outer reaches of three wards and two boroughs'*.
- 5.34 The applications also show that the group have held two large open meetings (with over 40 people in attendance) and a number of smaller meetings with Councillors, community and amenity groups.
- 5.35 Officers will now check that the application for the designation of a neighbourhood area and forum contain the required information and prepare for the six week period of public consultation in conjunction with officers at Royal Borough of Greenwich.
- 5.36 *Deptford Neighbourhood Action*
- 5.37 The Deptford Neighbourhood Action group have also been in dialogue with both Lewisham and Greenwich Officers.
- 5.38 The Deptford Neighbourhood Action group, Greenwich officers and Lewisham officers had received a draft application which was discussed at a meeting held at the Old Tidemill School on 6th July 2015. Representatives for the Deptford Neighbourhood Action group outlined their initial aims which included providing an identity for Deptford, for the boundary to follow the old Deptford community boundary rather than newer administrative boundaries, to protect green space, support local business and increase social and affordable housing. These aims have been carried forward and appear in the recently submitted application for the creation of the neighbourhood forum.
- 5.39 Officers also advised the Deptford Neighbourhood Action group that they must ensure that all Ward Councillors affected by the proposal have been consulted and that contact has been made with the New Cross group to discuss their proposed neighbourhood area boundary. This is because the proposed Deptford Neighbourhood Area boundary overlaps with the boundary that was proposed by the New Cross group previously. The legislation and regulations governing the neighbourhood area designation make clear that neighbourhood areas can not overlap. It is therefore considered to be appropriate to enter into dialogue with potential adjoining neighbourhood groups to avoid sources of conflict.
- 5.40 A dual application for the designation of the neighbourhood area and forum was submitted on 12th August 2015. The application states that four public meetings were held in March, April, May & June 2015 at the Albany and Deptford Lounge and were attended by over 40 local people. A website and Facebook page has been set up. The group states that they had contacted a broad range of local organisations and individuals, invited elected members to

join, had spoken at the local Assembly and had an article included on the front page of the local news paper.

- 5.41 Officers will now check that the application for the designation of a neighbourhood area and forum contain the required information and prepare for the six week period of public consultation in conjunction with officers at Royal Borough of Greenwich.

Possible future application for neighbourhood area and forum

5.42 *New Cross*

- 5.43 At the Sustainable Development Select Committee meeting held on 9th September 2014, Members were informed that officers had been in communication with a local community group in the New Cross area which were interested in setting up a neighbourhood forum. The group had, at that time, given presentations to the New Cross and Telegraph Hill ward assemblies in order to engage the local community. The group has also arranged monthly forum meetings, and undertaken community engagement events as of 28th August 2014.

- 5.44 An application was expected to be submitted after August 2014 but no further application or correspondence has since been received.

6 Grant funding

- 6.1 The Council is currently able to claim grant funding from Communities and Local Government (CLG) to help the Council meet the costs of its statutory neighbourhood planning duties in respect of the provision of officer time and materials. This reduces the pressure on the Council’s budget. The Council’s legal duties are to provide advice and assistance, to carry out consultation, to process and determine neighbourhood planning applications, to hold examinations, and to make arrangements for referenda.

- 6.2 The table below outlines the funding that is available for the financial year 2015/16 and the stages at which the Council can apply for the funding to retrospectively reimburse the Council for the costs associated with facilitating the neighbourhood planning system. Officers are concerned that the grant funding available will not be sufficient to reimburse the Council fully, particularly regarding Examination and Referendum costs and will therefore monitor the situation as the neighbourhood plans are progressed.

Stage	Funding (2015 / 16)
Agreeing a	£5,000 after the designation of a Neighbourhood Area

neighbourhood area and forum	£5,000 after the establishment of a neighbourhood forum
Developing a neighbourhood Plan	None.
Publicising a Neighbourhood plan prior to examination	£5,000 to be received prior to publicising a neighbourhood plan prior to examination.
Examination	£20,000 upon successful examination to cover officer time up to that point and to cover the referendum.
Referendum	As above.
Plan adoption decision	None.

- 6.3 At present the Council has received only one CLG grant of £10,000 to reimburse the Council for officer time and materials associated with the designation of the Honor Oak Park and Crofton Park Neighbourhood Area and Forum. Further grant funding applications will be made for the designation of the Grove Park Neighbourhood Area and Forum and the Corbett Estate Neighbourhood Area and Forum within the September application window.
- 6.4 The grant funding allowance for 2016/17 has not yet been announced.
- 6.5 Where neighbourhood area applications cover more than one borough, it is left to the local authorities concerned to decide which local authority will apply for the grant funding and then how the proceeds will be shared.
- 6.6 The Council is not expected to provide direct sources of funding for neighbourhood forums. A designated forum is able to apply for a grant of up to £8,000 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. In addition, groups facing more complex issues can apply for specific packages of technical support where needed, and may also be eligible for a further £6,000 in grant.
- 6.7 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.

Background Documents:

Report to the Sustainable Development Select Committee on 9th September 2014 regarding an update on neighbourhood planning in the Borough.

<http://councilmeetings.lewisham.gov.uk/documents/s30952/04NeighbourhoodPlanningUpdate09092014.pdf>

Report to Mayor and Cabinet in 16th July 2014 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>

Report to Mayor and Cabinet on 22nd October 2014 regarding the designation of a neighbourhood forum and area for Grove Park

<http://councilmeetings.lewisham.gov.uk/documents/s31751/Neighbourhood%20Forum%20and%20Area%20Grove%20Park.pdf>

Report to Mayor and Cabinet regarding the designation of a neighbourhood forum and area for the Corbett Estate

<http://councilmeetings.lewisham.gov.uk/documents/s35945/Corbett%20Estate%20Neighbourhood%20Forum%20and%20Area.pdf>

First draft of the emerging neighbourhood plan for Grove Park

<http://www.groveparkneighbourhoodforum.com/documents/Low%20res%20draft%20plan.pdf>

Annex 1: Map of designated and proposed neighbourhood areas

If you have any questions about this report, please contact Brian Regan, Planning Policy Manager (ext. 48774) or Cheryl Maughan, Planning Policy Officer (ext. 42289).