

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

Economy Environment and Place Scrutiny Committee
08 June 2023

Report Title: Neighbourhood Planning Update
Submitted by: Deputy Chief Executive
Portfolios: Planning and Regeneration
Ward(s) affected: All Wards within the Borough of Newcastle-under-Lyme

Purpose of the Report

To provide an update on progress with the production of Neighbourhood Plans across the Borough

Recommendation

That

1. That Members note the progress update provided on Neighbourhood Planning in the Borough

Reasons

To ensure that account is taken of the status and progress of various Neighbourhood Plans across the Borough.

1. **Background**

1.1 Neighbourhood Planning was introduced in the Localism Act 2011 and provides an opportunity for local communities to prepare a Plan for their area. A Neighbourhood Plan sets out planning policies for the neighbourhood area which can be used to help determine planning applications. Neighbourhood Plans allow communities to influence development in their local area. However they cannot influence or block development set out previously by the Local Plan. Neighbourhood Plans are led and produced by an authorised local community organisation such as a parish or town council, or where one does not exist a Neighbourhood Forum may be designated.

1.2 A Neighbourhood Plan can:

- a. Identify a vision for the area and set objectives
- b. Provide detailed planning policies setting out for example, how new development should be designed
- c. Allocate sites for different types of development such as housing, retail and office space and designate areas of community greenspace
- d. Identify key areas for improvement and set out proposals for them

1.3 Neighbourhood Plans are subject to consultation, examination and a referendum, and once adopted (or 'made') form a part of the statutory development plan.

1.4 As a 'made' Neighbourhood Plan carries significant weight in determining development proposals for the local area, there are a number of legal requirements that the plan must meet.

1.5 A Neighbourhood Plan must:

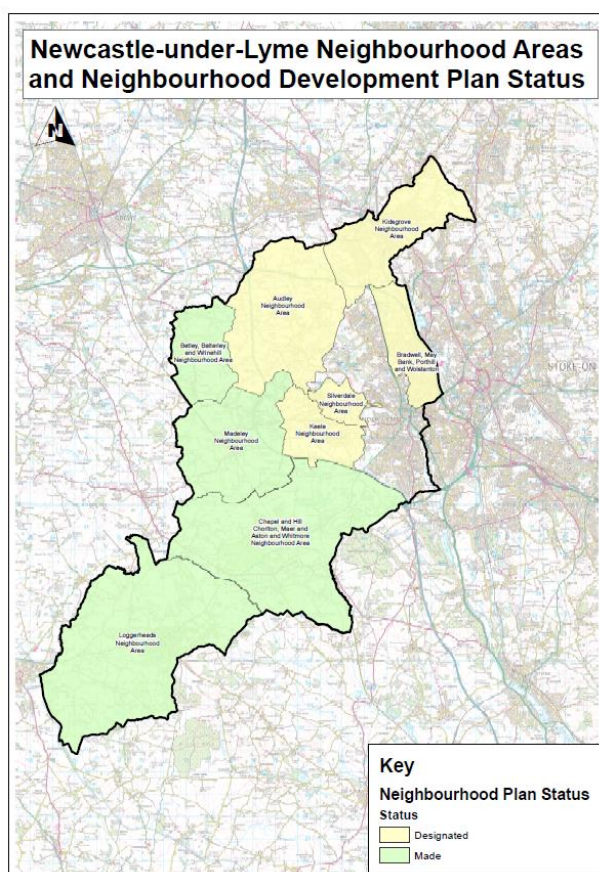
- a. Have appropriate regard to national planning policy
- b. Be in general conformity to the Local Plan
- c. Contribute to the achievement of sustainable development
- d. Be compatible with environmental obligations, as incorporated in UK law
- e. Be compatible with human rights requirements.

1.6 The local community preparing the Plan takes a leading role. The Council's role is to take decisions in the neighbourhood planning process within specified time limits and provide advice and assistance to the body preparing the Plan at various stages of Plan development.

1.7 Cabinet agreed, on 8 November 2017, to delegate certain decisions on the Neighbourhood Plan process to the executive director for regeneration and development in consultation with the Cabinet Member responsible for the Planning and Housing Portfolio unless, that stage of the Neighbourhood Planning process has resulted in significant public objection and/or the decision is considered to be a 'Key Decision'. Then such a decision is delegated to the Cabinet Member responsible for the Planning and Housing Portfolio.

2. Neighbourhood Plans in the Borough

2.1 There are dedicated pages on the Council's website on the status and progress on Neighbourhood Plans in the Borough. A summary plan has been prepared which highlights the status of Neighbourhood Plans in the Borough.



2.1 The following Plans have been ‘made’ and form part of the Development Plan in the Borough:-

- a. Loggerheads (February 2019)
- b. Chapel and Hill Chorlton, Maer and Aston and Whitmore (October 2019)
- c. Betley, Balterley and Wrinehill (January 2022)
- d. Madeley (May 2022)

2.2 There are a number of Neighbourhood Plans in development in the Borough at the moment, as follows:-

Area	Status
Kidsgrove	Neighbourhood Area Designation (Sept 2019), community now preparing a regulation
Audley	Neighbourhood Area Designation (Dec 2020)
Silverdale	Neighbourhood Area Designation (May 2022)
Keele	Neighbourhood Area Designation (Oct 2016)
Bradwell, May Bank, Porthill and Wolstanton Neighbourhood Forum	Neighbourhood Area Designation (April 2023)

2.3 Communities, outlined in the table above, are in the process of preparing Neighbourhood Plans for their areas. The next step will be the preparation of a draft Plan for consultation (called pre-submission consultation, or Regulation 14 consultation). Legislation requires that Neighbourhood Plans are subject to at least two formal, public, six-week long consultations. The qualifying body - the group preparing the Plan, hosts the first consultation (Regulation 14). After the Regulation 14 consultation, the qualifying body have the opportunity to make any changes to their plan before submitting to the Council. Once submitted, The Council hosts the second consultation on the plan, which falls under Regulation 16 of the Neighbourhood Planning Regulations. This is then followed by an independent examination and referendum before the Plan can be brought in to force.

3. **Proposal**

3.1 The Economy and Place Scrutiny Committee at its meeting of the 16 March 2023 confirmed that an item on Neighbourhood Planning be added to the work programme.

4. **Reasons for Proposed Solution**

4.1 Neighbourhood Plans are prepared by local communities. The council must fulfil its statutory obligations in supporting local communities in preparing Neighbourhood Plans

5. **Options Considered**

5.1 The Council has statutory obligations in the neighbourhood planning process. There are no other reasonable options that the Council can take.

6. **Legal and Statutory Implications**

6.1 The Localism Act (2011) introduced the concept of Neighbourhood Planning. The Localism Act also made amendments to the Town and Country Planning (1990) Act in order to incorporate Neighbourhood Plans into the statutory development plan system.

6.2 The Neighbourhood Planning (General) Regulations 2012 implement this legislation through setting out the requirements for designating neighbourhood areas, preparing and the 'making' of Neighbourhood Plans.

7. Equality Impact Assessment

7.1 The purpose of this report is provide an update on Neighbourhood Plans in the Borough. There are no direct implications of the report that would necessitate an Equality Impact Assessment.

8. Financial and Resource Implications

8.1 The support provided on Neighbourhood Plans is resourced through the Planning Policy budget.

9. Major Risks

9.1 Changes in National Policy, Legislation and Guidance.
The Levelling Up and Regeneration Bill, currently before parliament, is seeking to introduce Neighbourhood Priorities Statements. These will allow communities to identify their key priorities for their local area, including development preferences. This may change the approach to Neighbourhood Planning in the Borough.

9.2 Progress on the Local Plan
Existing and developing Neighbourhood Plans may have to take account of the emerging Borough Local Plan, once adopted. This will be kept under review.

10. UN Sustainable Development Goals (UNSDG)

10.1 As Neighbourhood Plans are primarily focused on the use of land and the relationship to the environment and infrastructure then a number of the UN Sustainable Development Goals will overlap with the aims of the respective Plans.



11. **Key Decision Information**

11.1 This report provides an update on progress relating to the development Neighbourhood Plans in the Borough.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Cabinet – Delegation for Neighbourhood Planning processes (Cabinet, Wednesday 8 November 2017) :- <https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&MId=2934>

13. **List of Appendices**

13.1 None

14. **Background Papers**

14.1 The website pages on Neighbourhood Plans can be accessed on the Council's website:- <https://www.newcastle-staffs.gov.uk/planning-policy>