

Neighbourhood Plan update

Planning Policy Committee Thursday, 21 March 2024

Report of: Deputy Chief Executive

Purpose: For information

Publication status: Open

Wards affected: All

Executive summary:

This report provides a summary of Neighbourhood Plan progress across the District.

This report supports the Council's priority of: Creating the homes, infrastructure and environment we need/ Supporting economic recovery in Tandridge/ Becoming a greener, more sustainable District

Contact officer Katya Fox Interim Planning Policy Manager (Tatsfield)

kfox@tandridge.gov.uk

Emma Amies (Burstow, Caterham, Chaldon and Whyteleafe, Lingfield, Dormansland, Godstone, Outwood)

eamies@tandridge.gov.uk

Recommendation to Committee:

That progress on Neighbourhood Plans be noted.

Introduction and background

- 1 Under the Localism Act, 2011 parish councils or neighbourhood forums were given power to prepare their own plan. Once adopted ('made') neighbourhood plans form a part of the wider development plan for the District and are to be considered in all relevant planning application and planning policy matters. Applications for planning permission are determined in accordance with the development plan (including any Neighbourhood Plan), unless material considerations indicate otherwise.
- 2 Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum.
- 3 Ten areas across the District have been designated as a neighbouring planning area and are at varying stages of their plan making process:
 - Burstow
 - Caterham, Chaldon & Whyteleafe
 - Crowhurst
 - Dormansland
 - Godstone
 - Limpsfield
 - Lingfield
 - Tandridge
 - Tatsfield
 - Woldingham
- 4 Of these areas, Woldingham Neighbourhood Plan was adopted in April 2016, Limpsfield Neighbourhood Plan was adopted in June 2019 and Caterham, Chaldon & Whyteleafe Neighbourhood Plan was adopted in June 2021.
- 5 Officers are working with the various Neighbourhood Plan groups around the District. Our newly appointed ecologist is now providing SEA / HRA screening for Neighbourhood Plans. This report summarises the latest state of play for each area where a neighbourhood plan has been or may be being started.

Neighbourhood Plan Progress

Burstow Neighbourhood Plan

- 6 The Regulation 14 Consultation for Burstow Neighbourhood Plan ran from Monday 6 February to Monday 20 March 2023. Tandridge District Council Officers assessed this plan and provided detailed comments. The group are deciding how to proceed given the TDC comments and other consultation responses.
- 7 This plan needs screening for SEA and HRA. If sites are not included as TDC has recommended it is unlikely that SEA/HRA will be needed.

Caterham, Chaldon and Whyteleafe Neighbourhood Plan

- 8 Caterham, Chaldon and Whyteleafe Neighbourhood Plan was made (adopted) in June 2021. This plan is being regularly monitored.
- 9 Support has been received from AECOM to review the Neighbourhood Plan. A Housing Needs Assessment is underway and Officers at Tandridge have provided information for this. The review is considering the addition of various policies to the Neighbourhood Plan. A new draft of the plan is expected imminently and a meeting to discuss the plan and the consultation responses has been timetabled for late March.
- 10 When the draft plan is received Tandridge District Council will provide comments and screen the plan for HRA/SEA.

Crowhurst

- 11 Crowhurst Parish was designated as a Neighbourhood Area in 2015. Officers are not aware that any work is being undertaken on a Plan.

Dormansland Neighbourhood Plan

- 12 Work on Dormansland Neighbourhood Plan has restarted following a pause by the Neighbourhood Plan Group. A draft plan has been submitted to the Council for officer comments and is currently being reviewed.
- 13 This plan needs careful consideration regarding SEA and HRA. Parts of the parish lie within the Ashdown Forest Special Protection Area 7KM Buffer Zone. The plan is currently being screened.

Godstone Neighbourhood Plan

- 14 Work on Godstone Neighbourhood Plan has restarted following a pause by the Neighbourhood Plan Group. The Neighbourhood Plan Group has received support from AECOM to progress the Plan. A draft has been submitted to the Council for screening for SEA/HRA.

Limpsfield Neighbourhood Plan

- 15 Limpsfield has a made (adopted) Neighbourhood Plan. Officers are not aware of any immediate plans for review.

Lingfield Neighbourhood Plan

- 16 Lingfield Neighbourhood Plan went through Regulation 14 last year – the formal round of consultation organised by the Parish Council. The consultation period finished on 28 June 2023. Tandridge District Council made detailed comments on the plan.
- 17 Screening in 2019 concluded that HRA Appropriate Assessment is not necessary. An SEA has been undertaken.

Outwood Neighbourhood Plan

- 18 Outwood Parish Council are considering the possibility of a Neighbourhood Plan and have requested officer attendance at its meeting in April 2024. If they decide to proceed the first stage will be designation of the area.

Tandridge

- 19 Tandridge Parish was designated an Neighbourhood Area in 2017. Officers are not aware that any work is being undertaken on a Plan.

Tatsfield Neighbourhood Plan

- 20 The Tatsfield Neighbourhood Plan was submitted for Examination in January 2024 and the Inspector's Report has now been received. Further details are set out later in this report.

Warlingham Neighbourhood Plan

- 21 Warlingham Parish Council are considering the possibility of a Neighbourhood Plan. The area has yet to be designated. A meeting with Anna Cronin (external consultant) was held to brief the group on the plan making process. There is discussion as to whether the Neighbourhood Plan is the right tool for Warlingham to progress its aims.

Woldingham Neighbourhood Plan

- 22 Woldingham has a made (adopted) Neighbourhood Plan. Officers are not aware of any immediate plans for review.

Summary of Progress

Shaded cell indicates task complete.

Parish	Area Designated	Plan Preparation Stages Completed				Plan Made	Plan Review
		Reg 14	Reg 15	Reg 16	Examination		
Burstow							
Caterham, Chaldon and Whyteleafe							
Crowhurst							
Dormansland							
Godstone							
Limpsfield							
Lingfield							
Outwood							
Tandridge							
Tatsfield							
Warlingham							
Woldingham							

Tatsfield Neighbourhood Plan

- 23 On 6 June 2017, the District Council designated Tatsfield Parish a Neighbourhood Area. Consultation on the Plan took place under Regulation 14 (of The Neighbourhood Planning (General) Regulations 2012 (as amended)) between 20 February 2022 - 4 April 2022.

- 24 The Plan was then submitted on 7 October 2023. The District Council carried out a consultation on the submission documents (as required under Regulation 16 of The Neighbourhood Planning (General) Regulations 2012 (as amended)) between 1 December 2023-Friday 26 January 2024. The draft plan and supporting documents were available to view online with hard copies available locally at various locations within the area. The District Council produced a detailed response setting out a series of suggested modifications to improve the implementation of the Plan (including the deletion of several policies, clarification of policy wording and the proposal of combining policies) but did not raise any objections.
- 25 Independent examiner Andrew Ashcroft was appointed as Examiner to conduct the examination of the Tatsfield Neighbourhood Plan. The Examination formally commenced on 29th January 2024, and was undertaken by way of written representations only.
- 26 On 2 February 2024, the Examiner sent an 'Examination Arrangement Note' which set out the basis on which the examination would be undertaken. The Examiner undertook a site visit to the area on 7th February 2024. This was followed by the 'Examiner's Clarification Note' on 8 February 2024, which set out the points of clarification required by the examiner. Tatsfield Parish Council, and the associated Neighbourhood Plan Steering Group responded to these queries on 14th February.
- 27 The Examiner's Report was received on Tuesday 27th February 2024. The report summarises by stating that the Neighbourhood Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on two specific matters. The first is the proposed designation of three Local Green Spaces. The second is a package of design policies.
- 28 The report goes on to say that the Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 29 The Examiner's Report makes a series of recommended modifications, and concludes that the Plan meets all the necessary legal requirements (including the Basic Conditions) and should proceed to referendum. The Examiner also recommended that the referendum should be held within the neighbourhood area.
- 30 Following the receipt of the Examiner's Report, a decision was made by delegated authority to take the Plan to Referendum. A Decision Statement has been published confirming that the Plan will proceed to a neighbourhood planning referendum (subject to the modifications) on 2nd May 2024.

- 31 The Council has a duty to pay the examination and referendum costs. However, as this is an area where a neighbourhood plan has not been previously made, the Council is able to apply for financial support from DLUHC to help meet the costs. The claim will be for £20,000 and can be sought now following the publication of the decision statement detailing the intention to send the plan to referendum (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012). The claim will be submitted in the next grant funding window (March 2024).
- 32 All of the associated Neighbourhood Plan Examination documentation can be viewed here: <https://www.tandridge.gov.uk/Planning-and-building/Planning-strategies-and-policies/Adopted-planning-policies-and-guidance/Neighbourhood-Plans/Tatsfield-Neighbourhood-Plan-and-Examination>.

Key implications

Comments of the Chief Finance Officer

Alongside officer time, there may be a modest requirement for external support with elements of the work. This will be managed through regular budget monitoring. As such, the Section 151 Officer supports the report.

Comments of the Head of Legal Services

The Localism Act 2011 introduced the concept of Neighbourhood Planning. This includes the option for Parish Council's to prepare statutory Neighbourhood Plans which set out a vision, objectives, policies, and proposals to guide the future development of their local area. Once a Neighbourhood Plan is "made", and the decision is published, and relevant persons have been advised under the requirements (paragraph (4)(a); (9) and (10)) of section 38A of the Planning and Compulsory Purchase Act 2004, the District policies map will need to be amended under paragraph of the 9 Town and Country (Local Planning) (England) Regulations 2012.

Also, once "made" the Neighbourhood Plans will form part of wider development plan for the District. Under section 38(6) of the Planning and Compulsory Purchase Act 2004, this requires the District Council as the planning authority the following "...for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

It is the opinion of the Head of Legal and Monitoring Officer that there are no legal implications arising from this report.

Equality

There are no equalities implications as a result of this report.

Climate change

There are no significant environmental / sustainability implications associated with this report.

Appendices

None

Background papers

None

----- end of report -----