

Neighbourhood Plans update

Planning Policy Committee Thursday, 19 September 2024

Report of: Taryn Pearson-Rose, Deputy Chief Executive

Purpose: For information

Publication status: Unrestricted

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: Putting residents at the heart of what we do.

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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 applications 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 made in April 2016, Limpsfield Neighbourhood Plan was made in June 2019, Caterham, Chaldon & Whyteleafe Neighbourhood Plan was made in June 2021 and Tatsfield Neighbourhood Plan was made in June 2024
- 5 Officers are working with the various Neighbourhood Plan groups around the District. This report summarises the latest state of play for each area where a neighbourhood plan has been or may be being started.
- 6 The Council has recently managed to temporarily increase officer resources to support the development of Neighbourhood Plans.

Neighbourhood Plan Progress

Burstow Neighbourhood Plan

- 7 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. Additional comments on the issue of flooding have been requested and provided. A draft Regulation 16 updated version of the plan has been submitted and officers are considering this.

- 8 The Council has undertaken a formal consultation with the three Consultation Bodies (Natural England, Historic England and the Environment Agency) with respect to whether or not the Plan should be the subject of Strategic Environmental Assessment (SEA) and / or a Habitats Regulations Appropriate Assessment (AA).
- 9 None of the Consultation Bodies has advised that either SEA or AA is necessary, and the Council has formally, on August 27, determined that the Plan need not be the subject of these assessments.

Caterham, Chaldon and Whyteleafe Neighbourhood Plan

- 10 Caterham, Chaldon and Whyteleafe Neighbourhood Plan was made in June 2021. This plan is being regularly monitored.
- 11 Support has been received from AECOM to review the Neighbourhood Plan. A Housing Needs Assessment has been carried out and officers at Tandridge provided information for this. The review is considering the addition of various policies to the Neighbourhood Plan.
- 12 A meeting to discuss the contents and progress of the plan was held in March.
- 13 A draft plan has been submitted to the Council of which has been reviewed and Officer comments are currently being produced to advise the neighbourhood planning group.
- 14 The draft plan has been subject to a formal consultation with the three Consultation Bodies (Natural England, Historic England and the Environment Agency) with respect to whether or not the Plan should be the subject of Strategic Environmental Assessment (SEA) and / or a Habitats Regulations Appropriate Assessment (AA).
- 15 None of the Consultation Bodies has advised that either SEA or AA is necessary, and the Council has formally, on August 27, determined that the Plan need not be the subject of these assessments.

Crowhurst

- 16 Crowhurst Parish was designated as a Neighbourhood Area in 2015. Crowhurst may restart its Neighbourhood Plan. Officer comments on a previous version of the plan were provided in 2018 and 2022. Recently some suggestions about restarting the work have been provided by Tandridge DC.

Dormansland Neighbourhood Plan

- 17 Work on Dormansland Neighbourhood Plan has restarted following a pause by the Neighbourhood Plan Group. A draft plan has been submitted to the Council of which has been reviewed with an Officer Comments Report completed and provided to the Neighbourhood Planning Group for their consideration prior to the consultation.
- 18 Parts of the parish lie within the Ashdown Forest Special Protection Area 7KM Buffer Zone. The Council has undertaken a formal consultation with the three Consultation Bodies (Natural England, Historic England and the Environment Agency) with respect to whether or not the Plan should be the subject of Strategic Environmental Assessment (SEA) and / or a Habitats Regulations Appropriate Assessment (AA).
- 19 None of the Consultation Bodies has advised that either SEA or AA is necessary, and the Council has formally, on August 30, determined that the Plan need not be the subject of these assessments.

Godstone Neighbourhood Plan

- 20 Work on the Godstone Neighbourhood Plan began in 2017 – 2018 when the Parish Council established a Steering Group and community engagement was undertaken. A Vision and Scope of the plan was explored during 2019 – 2021 with a slight pause in proceedings that were picked up again during 2022. During 2023, various evidence base documents and a draft plan were produced with the plan finalised for comment during 2024.
- 21 Tandridge District Council has corresponded with Godstone Parish Council throughout the plan-making process and has commented on previous drafts / plan scoping documents, as well as carrying out meetings with those involved with the Neighbourhood Plan.
- 22 A draft version of the plan has been submitted to the Council for comment in advance of the Regulation 14 consultation, whereby the qualifying body (in this instance, Godstone Parish Council) will lead the consultation for a (minimum) period of 6 weeks.
- 23 The draft plan has been reviewed and Officer comments are currently being produced to advise the neighbourhood planning group.
- 24 The Council has undertaken a formal consultation with the three Consultation Bodies (Natural England, Historic England and the Environment Agency) with respect to whether or not the Plan should be the subject of Strategic Environmental Assessment (SEA) and / or a Habitats Regulations Appropriate Assessment (AA).
- 25 None of the Consultation Bodies has advised that either SEA or AA is necessary, and the Council has formally, on August 27, determined that the Plan need not be the subject of these assessments.

Limpsfield Neighbourhood Plan

- 26 Limpsfield has a made Neighbourhood Plan. Officers are not aware of any immediate plans for review.

Lingfield Neighbourhood Plan

- 27 Last year Lingfield Neighbourhood Plan went through Regulation 14 – 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. The Plan is currently with the Parish Council for revision following consultation.
- 28 Screening in 2019 concluded that HRA Appropriate Assessment is not necessary. An SEA has been undertaken.
- 29 There has been no further update from the Neighbourhood Planning Group since the Reg 14 consultation.

Tandridge

- 30 Tandridge Parish was designated as a Neighbourhood Area in 2017. Tandridge Parish has recently considered progressing their Neighbourhood Plan and officers at Tandridge DC have offered some initial suggestions for this work.

Tatsfield Neighbourhood Plan

- 31 The Tatsfield Neighbourhood Plan has recently been made. Officers are not aware of any immediate plans for review.

Warlingham Neighbourhood Plan

- 32 Warlingham Parish Council are considering the possibility of a Neighbourhood Plan but no decision has been communicated to officers to date. The area has yet to be designated.

Woldingham Neighbourhood Plan

- 33 Woldingham has a made Neighbourhood Plan. Officers are not aware of any immediate plans for review.

Summary of Progress

Shaded cell indicates task complete.

Parish	Area Designated	SEA / HRA Screening Completed	Officer Review of Early Draft(s)	Plan Preparation Stages Completed				Plan Made	Plan Review
				Reg 14	Reg 15	Reg 16	Examination		
Burstow									
CCW * (made)									
CCW * (review)									
Crowhurst									
Dormansland									
Godstone									
Limpsfield(made)									
Lingfield									
Tandridge									
Tatsfield (made)									
Warlingham									
Woldingham (made)									

*CCW = Caterham, Chaldon and Whytleafe

Key implications

Comments of the Chief Finance Officer

At this stage all that is required is officer time. However, future stages may see a requirement for external support for a housing needs survey, with other costings for the examination and referendum. This will be managed through regular budget monitoring and where appropriate the Council will apply for the Neighbourhood Grant to help meet costs. As such, the Section 151 Officer supports the report.

Comments of the Head of Legal Services

The ability for a Parish Council to produce a Neighbourhood Plan is contained within the Localism Act 2011. The Town and Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012 (as amended) provide the statutory process as to how a Neighbourhood Development Plan will be developed and implemented. The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 contain statutory timescales by which decisions relating to Neighbourhood Planning have to be made.

A neighbourhood plan, once formally adopted, carries the same legal status as a District Local Plan (and other documents that form part of the statutory 'development plan') and therefore becomes a material consideration in the determination of planning applications. Applications for planning permission would therefore be determined in accordance with the development plan (including any Neighbourhood Plan), unless material considerations indicate otherwise.

The District Council's responsibility as Local Planning Authority is largely technical in nature, for example checking that Plans have followed correct procedures.

Equality

In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

There are not considered to be any direct equality issues arising from this report. Future considerations may well be subject to appropriate review to ensure they comply with latest equality legislative need. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

Climate change

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

Appendices

None

Background papers

None

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