
Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 22 June 2017

Subject: Neighbourhood Planning Update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Wetherby	☒ Yes	☐ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☐ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. The Localism Act 2011 devolved planning powers to parish and town councils or neighbourhood forums to lead on the preparation of neighbourhood plans. A neighbourhood plan is intended to complement local strategic planning policy and can influence where development can go and how it might look.
2. There are 35 designated neighbourhood areas across Leeds, covering the diversity of the city's neighbourhoods with neighbourhood plans under preparation in villages, market towns and inner city communities. Most groups involved are generally making good progress although some have struggled. The first plan to be 'made' in Leeds is the Clifford Neighbourhood Plan, this plan is considered to be an exemplar and sets a good standard for other areas.
3. Once 'made' a neighbourhood plan will be used by the Council alongside other local planning documents to determine planning applications in a neighbourhood area. Each plan sets out a locally distinctive vision for the neighbourhood area and is a product of collaboration between the parish council and the Council.

Recommendations:-

It is recommended that:

- i) Members note the progress on neighbourhood planning in Leeds and the issues highlighted in this report.

1 Purpose of this report

- 1.1 This report provides an update on neighbourhood planning progress and issues across the city, including good practice.

2 Background information

Neighbourhood Planning

- 2.2 The Localism Act 2011 amended the Planning and Compulsory Purchase Act 2004 to introduce major reforms to the planning system that give local communities the 'right' to prepare a neighbourhood plan. A neighbourhood plan is a statutory planning document which can set out local planning policies for the development and use of land in a neighbourhood and is subject to public consultation, independent examination and a referendum. There are 2,000 + communities across the country involved in neighbourhood planning although geographical spread is mixed. Leeds is regarded nationally as being a neighbourhood planning 'hotspot' with 35 designated neighbourhood areas in a wide variety of different neighbourhoods. Some of the plans being prepared are simple design-led plans and others are more complex plans for larger settlements or inner-city areas.
- 2.3 A neighbourhood plan must meet the statutory 'basic conditions', the key 'conditions' being 'general conformity' with local strategic planning policies and regard to the national planning policies in the National Planning Policy Framework. These set the parameters for the plan and an independent examiner will then assesses whether a plan meets the 'basic conditions' or not.
- 2.4 Since the introduction of neighbourhood planning, the Government has introduced further reforms aimed at streamlining the process and increasing the powers of neighbourhood planning (in the Neighbourhood Planning Act 2017 and the Housing White Paper). These broadly seek to streamline the process, give more power to local communities and widen the opportunities to deliver housing.

Neighbourhood Planning in Leeds

- 2.5 Leeds has the highest level of neighbourhood planning activity for any city in the country, outside of London. There has been a significant level of progress during 2016/17 with a number of plans reaching examination (Linton, Clifford, Collingham, Bardsey, Barwick in Elmet with Scholes) and subsequently being 'made' (Clifford, Collingham). The Linton plan has yet to be 'made' as it has been the subject of legal challenge. Plans in non-parished areas are also coming forward, with Holbeck, Hyde Park and Oulton and Woodlesford all making good progress, to name a few. Appendix 1 shows progress for all areas.
- 2.6 Local Planning Authorities have a 'duty to support' local communities in the preparation of a neighbourhood plan. It is for each local planning authority to determine the appropriate level of support and the level of support varies significantly across the country. Leeds is regarded by the Department of Communities and Local Government and Planning Aid England as one of the leading Councils for support. The level of support provided in Leeds varies dependant on a group's capacity to prepare a plan and the level of funding and support they are receiving from other sources.

Neighbourhood plan content

2.7 There is no requirement for a neighbourhood plan to include any specific issue in a neighbourhood plan or to allocate land for development. Generally speaking, all plans emerging in Leeds cover a comprehensive range of issues and some are also seeking to allocate land for housing. However, the majority will not allocate sites for housing but will include design and other policies to help shape the proposed housing allocations that the Council is advancing in the Site Allocations Plan.

2.8 Issues covered by plans that have reached examination include:

- Allocation of housing to meet local needs
- Designation of Local Green Spaces
- Identification of non-designated heritage assets for conservation and enhancement
- Identification of green corridors
- Key views
- Local design
- Transport/traffic improvements (in particular parking)
- Public Rights of Way, footpaths and cycleways
- Identification of community facilities for enhancement
- Town centre issues, e.g. shop frontages and local character; and
- Housing mix to suit identified local need

5.0 Corporate Considerations

5.1.1 Once a neighbourhood plan is made, it will be part of the Development Plan for Leeds. Some plans also promote a number of projects, some of which will involve the Council if they are to be successfully delivered.

Consultation and Engagement

5.1.2 The neighbourhood planning process involves significant levels of consultation and engagement and details of this must be submitted along with the plan for independent examination ('the consultation statement').

5.1.3 Ward Members are informed of neighbourhood plan progress and many members are actively involved, usually as forum or steering group members.

Equality and Diversity / Cohesion and Integration

5.1.4 The Government has undertaken an Equalities Impact Assessment of the Localism Act in relation to neighbourhood planning (2011). The Council views the neighbourhood planning process as an opportunity to deliver equality, diversity, cohesion and integration objectives. Neighbourhood Plans by their very nature should be inclusive and be shaped by a range of people who live, work and carry out business in an area.

5.1.5 One of the lessons learned from 'taking stock' of neighbourhood planning in Leeds is that plans in all areas would benefit from an equalities impact

assessment. Although this is not a statutory requirement, officers are to encourage groups to undertake these assessments in order to assist in plan preparation where needed.

Council policies and the Best Council Plan

- 5.1.6 Neighbourhood planning links well to all three of the Council's corporate priorities set out in the Vision for Leeds:
- Leeds will be fair, open and welcoming (neighbourhood plans must not breach, and be otherwise compatible with, EU obligations and be compatible with human rights requirements);
 - Leeds' economy will be prosperous and sustainable (the making of the neighbourhood plan must contribute to the achievement of sustainable development);
 - All Leeds' communities will be successful (the making of the neighbourhood plan must be in general conformity with the strategic policies contained in the development plan for Leeds, a significant part of which is planning for growth).
- 5.1.7 The issues outlined also meet the Council's value of 'Working with Communities' and "empowering people to influence decisions where they live" as set out in the Council's Best Council Plan 2015 - 20.

Resources and value for money

- 5.1.8 The expenditure cost of neighbourhood plans to the Council varies, related to local issues and the local capacity to prepare a plan as well as the size of the referendum area. Local Planning authorities are able to claim £20,000 from the Department of Communities and Local Government following the successful examination of a neighbourhood plan. This is on top of £5,000 already claimed for each of the 35 area/forum designations.

Legal Implications, Access to Information and Call In

- 5.1.9 Neighbourhood planning is taking place within a fast-changing national planning background which is focussed on economic growth, localism and sustainability meaning testing times for local decision-making. The Site Allocations Plan has been submitted for examination and along with the Core Strategy and neighbourhood plans will comprise the development plan for Leeds.

Risk Management

- 5.1.10 A neighbourhood plan is required to be in general conformity with the strategic plans for the area (the Core Strategy and the Unitary Development Plan). It should also be joined-up and complementary with the emerging Site Allocations Plan. An examiner will normally make a number of modifications to a plan and this can minimise the risk of challenge and remove potential conflict with the Council's adopted planning policies. An examiner can also help ensure that neighbourhood plan policies are clear for applicants and robust and deliverable for the Council as the Local Planning Authority.
- 5.1.11 Once a neighbourhood plan is 'made' its policies take precedence over existing non-strategic policies in the Local Plan for that neighbourhood if there is conflict. However, with the collaboration between the Council and the parish council throughout the preparation of the Plan, no areas of conflict have been identified.

Conclusions

- 5.1.12 The level of neighbourhood planning activity in Leeds and the good progress being made in many areas is welcomed. The emerging plans cover issues that are familiar to all communities across Leeds but they also cover issues that are locally distinctive. This new ability to include locally distinctive policies for neighbourhoods across the city is a real opportunity for the city and its diverse neighbourhoods. As more neighbourhood plans are 'made' and become part of the development plan for Leeds, the Council will use these (along with local strategic planning policies and national planning policies) to help determine planning applications in a neighbourhood area.

Recommendations:-

It is recommended that:

- i) Members note the progress on neighbourhood planning in Leeds and the issues highlighted in this report.

Background documents¹

Appendix 1 – Neighbourhood Plan Progress in Leeds

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.