

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 30 NOVEMBER 2017
title: BOLTON-BY-BOWLAND AND GISBURN FOREST NEIGHBOURHOOD PLAN -
UPDATE
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: COLIN HIRST – HEAD OF REGENERATION AND HOUSING

1. PURPOSE

1.1 To receive an update on Bolton-by-Bowland and Gisburn Forest Neighbourhood Plan.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – The matters covered in this report will contribute to several of the objectives of the Sustainable Community Strategy including appropriate housing and encouraging economic activity.
- Corporate Priorities – The document that is the subject of this report relates to Council ambitions of making people's lives safer and healthier and also helping to protect the environment by directing future development into appropriate and sustainable locations.
- Other Considerations – This consultation response will help the Council to positively contribute to the neighbourhood planning process.

2. BACKGROUND

2.1 Neighbourhood planning is an initiative which gives local communities the opportunity, should they choose to take it, to develop a formal plan for their particular area. This plan, once adopted, will have legal force in the formal planning system alongside other documents produced by the Planning Authority and by central government. It must be in general conformity with the area's overall Local Plan, including the Core Strategy, and not conflict with central government policy statements such as the National Planning Policy Framework (NPPF) and associated National Planning Practice Guidance (NPPG). Decisions on planning applications will be made using both the Local Plan and, once it is formally adopted, the neighbourhood plan, and any other material considerations.

2.2 In general terms, and subject to the above, neighbourhood plans give local communities the ability to develop a shared vision for their particular area including where they want to see new homes, shops and work places develop, potentially what those new buildings will look like and what infrastructure should be provided. These plans can operate over ten, fifteen or twenty year horizons. It is also important to note that the plan is also subject to the parallel process of Sustainability Appraisal, as was the Core Strategy.

2.3 The draft plan was the subject of public engagement and consultation in accord with the applicable regulations. It was published for consultation between 5 January 2015 and the 1 March 2015. This Council made a detailed response to the Plan which was considered by this Committee at its meeting of 12 February 2015. Minute 597 refers.

2.4 A revised plan which the Parish Council considers to be its final plan has been submitted to Ribble Valley Borough Council. Members considered the submitted report and agreed to appoint an Independent Examiner to carry out the Examination of the Plan in December 2016. Minute 424 refers.

2.5 Further details regarding Neighbourhood Planning can be found on the National Planning Policy Guidance (NPPG) website link below.

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

A set of the submission documents together with the Examiner's report has been placed in the Members Room on level C at the Council offices. The documents may also be viewed on the councils' website using the following link:

https://www.ribblevalley.gov.uk/info/200364/planning_policies/1623/neighbourhood_planning

3. THE EXAMINER'S REPORT

3.1 The Council received the Examiner's report in August 2017, which was published on the Council's website and it was agreed to programme consideration of its findings by Planning and Development Committee to enable the Parish Council as Qualifying Body to have the opportunity to consider the recommendations of the Examiner's report and decide how it may wish to proceed. Initially it was intended to report to committee in October; however the Parish Council requested time to allow an Extraordinary meeting of the Parish council to be held.

3.2 The Examiner is able to draw three findings from the Examination and can make one of three recommendations:

- The plan is sound and can move to Referendum.
- The plan can move to Referendum subject to certain changes to make the plan sound.
- The plan is not sound and cannot go to Referendum.

3.3 The Examiner found that the plan can move to Referendum subject to certain changes to make the plan sound. However the recommended changes would lead to a number of changes to the plan that amongst other things would require the deletion of the specific site allocations, (perhaps the most controversial element of the plan during its preparation) at Bolton-by-Bowland and Tosside. It also made a number of other changes to the policy wording proposed which would still achieve the plans objective of supporting additional growth in the settlements but beyond the focus placed to being within the settlements (as defined by the Ribble Valley Local Development Framework) provided no further detailed spatial guidance. Other recommended changes generally sought to align the policy wording with national policy and legislation. Whilst there was some reaction to the Examiner's report that the recommendations served to make the plan void, and was interpreted by some as the Examiner dismissing the plan it has to be acknowledged that this was not his conclusion. The Examiner's conclusion was that subject to his recommended changes the plan could proceed to referendum.

3.4 As indicated the Parish Council held an extraordinary meeting on the 6 November at which the Parish Council resolved to seek to withdraw the Neighbourhood plan due to

the plan being considered to differ too greatly from the Submission Plan. A Withdrawal Notice has subsequently been received by the Council.

3.5 The Neighbourhood Plan has been withdrawn and there is no longer a need for the Council to consider and respond to the Examiners Recommendations in those circumstances.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – Costs for the statutory notification stage (6 week consultation) are met by the Council as Local Planning Authority. To date, consultation costs have been met from operational revenue budgets. No specific budget provision exists, however the Council has secured neighbourhood planning funding of £15000 from which the costs of the Examination have been met. The opportunity to draw a further £20,000 of grant occurs only after the plan has moved to Referendum.
- Technical, Environmental and Legal – Neighbourhood Planning is subject to the provisions of Planning Legislation relating to both Neighbourhood plans as well as separate regulation on Referendums.
- Political – No direct political implications.
- Reputation – It is important that the Council positively contributes to the neighbourhood planning process.
- Equality & Diversity – No implications identified.

5 **RECOMMENDED THAT COMMITTEE**

5.1 Note the recommendations of the Examiner but in the light of the Parish Council resolution to withdraw the plan, agree that no further action is taken on the Bolton-by-Bowland and Gisburn Forest Neighbourhood Plan.

COLIN HIRST
HEAD OF REGENERATION AND HOUSING

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

1. Neighbourhood Plan Files.

For further information please ask for Colin Hirst, extension 4503.