

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No. 7

meeting date: THURSDAY, 8 MARCH 2018
title: LONGRIDGE NEIGHBOURHOOD PLAN SUBMISSION
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
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1. PURPOSE

- 1.1 To inform members as to the current development of the Longridge Neighbourhood Plan and approve a formal response to the consultation currently underway regarding the Longridge Neighbourhood Plan and thereby aid in its timely development.
- 1.2 Relevance to the Council's ambitions and priorities:
- Community Objectives – The matters covered in this report will contribute to matters relating to 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 and enhance the environmental quality of the area.
 - Other Considerations – This consultation response will help the Council to positively contribute to the neighbourhood planning process.

2. BACKGROUND

- 2.1 Neighbourhood planning is a key initiative of the present government 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, in this case the Longridge Neighbourhood Plan runs to 2028. 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 Briefly, the process of developing a neighbourhood plan begins with the designation of the specific area the plan will consider, which is set out in a map included within the plan. The detail of the plan has been developed over the past two or more years by a joint Steering Group under the guidance of independent consultants and advised by

RVBC planning policy staff. After various consultations the plan is at the Regulation 16 stage, which sets out the version the Neighbourhood Planning Group considers to be its preferred final plan and which is formally submitted to the Council. This plan is currently the subject of a consultation, which started on Friday, 9 February and will end on Friday, 23 March 2018.

- 2.4 Following the closure of this consultation period the plan and all the consultation comments will be sent to an independent Examiner, who will be appointed by RVBC to hold an Examination of the plan. Subject to the Examiner's views and comments it is then hoped to take the plan to a public referendum, administered by RVBC, later this year. If the plan passes a referendum it will then be formally adopted by RVBC as a part of the legal development plan of the Borough alongside the Core Strategy and other documents.
- 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/>

3. THE PLAN ITSELF

- 3.1 Briefly, the submission plan deals with a variety of matters relating to key local issues that the community have identified through a series of workshops. These are set out as Objectives relating to housing, infrastructure provision, local character and heritage, local shops and services, community facilities and local employment.
- 3.2 Each Objective has its own chapter structured around a description of local evidence, then followed by an outline of technical evidence, including relevant parts of the Core Strategy and other documents and a variety of policies. These policies, once finalised, are intended to, on the adoption of the plan, be formal legal considerations in the Council's judgement of planning applications alongside the Core Strategy.
- 3.3 The Plan also contains a series of maps intended to delineate formal areas of land to which various policies will relate. In addition there are a series of Appendices relating to matters such as Conservation Areas, Local Heritage Assets, Policies maps and the RVBC and Ribble Valley Homes Housing Allocations Policy. The Plan and accompanying documents is available in hard copy in the Member's room, RVBC Planning reception, Longridge Station Buildings and Library, Clitheroe Library and on line on the RVBC website and Longridge Town Council's website.

4. THE PROPOSED RESPONSE

- 4.1 The draft plan has been the subject of internal reviews and comment throughout its development to this point and is considered to now be a well- developed document. Many of the points suggested have been subsequently incorporated but a minor point remains relating to a possible ambiguous interpretation that could be placed on Policy LNDP1 and accompanying paragraph 5.5. These are set out in Appendix 1 to this report.
- 4.2 The council's concern regarding the text has been previously raised with the qualifying body and their consultants. As members will note the text proposed seeks to introduce an element of influence from the Town Council on the final mix of house types in developments by requiring pre-application consultation with the Town Council. The

concern is that the policy could create an implied veto on the housing mix and could lead to ambiguity, particularly when applications are in the process of determination by the Borough Council when schemes can change through negotiation or in response to issues raised. It may also be perceived as introducing a role of the Town Council in the determination of the application by the Local Planning Authority outside the powers that legislation provides, effectively introducing further rounds of consultation into the process that will risk slowing the determination of the application. Pre-application consultation is already encouraged by the Borough Council through its protocol and Statement of Community Involvement as well as national policy practice.

At this stage it is considered that the issue should be highlighted by way of a representation. This will enable the Examiner to form a judgement on the matter.

5 EXAMINATION OF THE PLAN AND REFERENDUM

- 5.1 It is a duty of the Council to appoint the Independent Examiner. This requires a procurement process to be undertaken in accord with the Council's procurement regulations to select an Examiner.
- 5.2 Whilst it is the Borough Council's role to appoint the Examiner, the Examiner can only be appointed with the agreement of the qualifying body, in this case the Town Council who are promoting the neighbourhood plan.
- 5.3 It is usual for the Examination to be undertaken through the written representation process. However, the Examiner can, if they deem it appropriate, hold a hearing to discuss representations in more detail. Costs to organise and undertake any hearing days will need to be met by the Borough Council as part of the Examination.
- 5.4 In summary we are currently in the statutory consultation period. The Council needs to now appoint, in agreement with the Town Council an Examiner and make arrangements for the Examination.
- 5.5 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.
- 5.6 The Referendum would only take place within the designated area, only people eligible to vote in that area may vote. The Referendum question is defined and seeks to identify support for the plan or not. A simple majority of those who votes is required to progress the plan. In exceptional circumstances the Examiner having considered representations may extend the area to which the Referendum is undertaken.
- 5.7 We currently anticipate that the Examination will take place this Spring/Summer. The Referendum will need to take place as soon as reasonably possible after receipt of the Examiner's recommendations being received and consideration of the report by the Local Planning Authority.

6 RISK ASSESSMENT

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

- Resources – Costs for the statutory publication stage (6 week consultation) independent Examination and Referendum are met by the Council as Local Planning Authority. No specific budget provision exists, however the Council has secured neighbourhood planning funding totalling £15,000 which could be used to initially finance the cost of the Examination and Referendum.

To date, consultation costs have been met from operational revenue budgets. The opportunity to draw a further £20,000 of grant occurs after the Examination if the plan goes to Referendum. This is a recent change to the funding criteria where previously the Local Planning Authority could apply for the £20,000 on submission of the plan. If the plan does not progress to Referendum the funding is not available.

It is anticipated that the cost of the Examination could be in the order of £5,000. Costs of a Referendum in the designated area will depend upon whether the Referendum is held at the same time as another election. If the Referendum is a stand-alone one, it is estimated costs would be in the order of £5,000.

Therefore, total cost estimated to be approximately £10,000 which could be initially financed from neighbourhood planning funding already received and set aside in an earmarked reserve. If the plan progresses to Referendum we will apply for the further £20,000 which will be used to replenish the earmarked reserve.

- Technical, Environmental and Legal – The process is subject to statutory regulation
- Political – No direct political implications
- Reputation – It is important that the Council positively contributes to the neighbourhood planning process.
- Equality & Diversity – No implications identified

7 **RECOMMENDED THAT COMMITTEE**

7.1 Note the submission stage and the comments set out at paragraph 4.1 and 4.2 and agree to submit a consultation response within the regulation 16 Longridge Neighbourhood Plan consultation and to progress the plan to Examination.

7.2 Authorise the Chief Executive to submit a response on behalf of the Council and to advise the qualifying body that the plans should continue to Examination and that the appointment of the Independent Inspector be made.

PHILIP DAGNALL
ASSISTANT PLANNING OFFICER

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

1. Longridge 2028 Neighbourhood Development Plan. Regulation 16 Submission Draft January 2018

For further information please ask for Philip Dagnall, extension 4570

REF:PD/P&D/080318

POLICY LNDP1 – SECURING A SUITABLE MIX OF HOUSE TYPES AND SIZES IN NEW DEVELOPMENT

In line with Core Strategy Key Statements H2 and H3 a suitable mix of housing will be required to meet future household requirements and local needs. The final proposed mix of houses on all sites should be developed by holding pre-application consultation with the Town Council in advance of planning approval being granted.

Background/Justification

- 5.4 Ribble Valley Core Strategy Key Statement H2 states that planning permission will only be granted on sites when a suitable mix of housing is provided. That mix will be determined by identifying future household requirements and local housing needs. In Longridge, Key Statement H3 seeks to secure 30% affordable housing on sites of 10 or more dwellings, or sites of 0.5 hectares irrespective of the number of dwellings.



- 5.5 The Town Council are keen to ensure that local people's concerns about the range and type of housing in new developments are addressed. Consultation on this plan, and responses on past planning applications, reveals consistent concerns that the range and type of housing proposed does not always address what local people identify as suitable for the neighbourhood area. This is particularly the case with regards to affordability and availability of new housing for older and younger people. To help address this concern and to help deliver a locally informed mix of housing on development sites Policy LNDP1 requests that developers consult the Town Council on the mix of dwellings in their proposal prior to planning applications being submitted. The latest Ribble Valley and Ribble Valley Housing Allocations Policy is also included in Appendix D for information and to help local people have a better understanding of how the allocation policy works.
- 5.6 Up to date evidence, at the present time the results of the latest Longridge Housing Needs Survey 2013 should be used to inform dwelling mix; along with other relevant published and future studies such as the Ribble Valley Strategic Housing Market Assessment 2013.

Relevant RVBC Core Strategy Policies: H2 Housing Balance; H3 Affordable Housing; DMG1 General Considerations; DMG2 Strategic Considerations