

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	21 st April 2015
Report of:	Executive Director of Economic Growth and Prosperity
Subject/Title:	Notice of Motion – Neighbourhood Plans
Portfolio Holder:	Councillor Don Stockton, Housing and Jobs

1.0 Report Summary

- 1.1 The purpose of this report is to consider and respond to the following motion which had been moved by Councillor J Jackson and seconded by Councillor S Hogben at the Council meeting on 26th February.2014 and referred to Cabinet for consideration:

“This Council fully supports the practical introduction of Neighbourhood Plans for identifiable communities in Cheshire East. Given the perceived weakness of current, extant Borough Plans and the lack of an established new Cheshire East Local Plan, Council recognises that fully endorsed and adopted Neighbourhood Plans offer some appropriate guidance and protection in relation to the development of local communities.

The Council will therefore:

- a) continue to support the current programme of supported Neighbourhood Planning;*
- b) invite further interest from local communities in pursuing Neighbourhood Plans on an annual basis;*
- c) set up, in accordance with available resources, a rolling programme of supported Neighbourhood Planning;*
- d) continue with this rolling programme after the Cheshire East Local Plan is adopted and in place.”*

2.0 Recommendation

- 2.1 The Council already has a full programme of activity in place to support Neighbourhood Plans that will be set out in this report, and for these reasons Cabinet reject the motion referred to in paragraph 1.1.

3.0 Reasons for Recommendation

- 3.1 A full work programme supporting neighbourhood planning in Cheshire East is already underway to help all of our communities build a meaningful and plan led system in the places they live. This work that

is already in place has placed Cheshire East at the forefront of neighbourhood planning and we are now the most active region in the northwest for this work.

- 3.2 The statutory influence of neighbourhood plans in the development process has been confirmed over the previous year with a series of high profile planning appeals and high court challenges in this area. From Tattenhall to Winslow, Broughton Astley to Malmesbury, neighbourhood plans are being upheld to ensure that plan led development, with community participation at its heart, is being instilled in decision making.
- 3.3 Cheshire East Council has recognised the value of residents led planning throughout the production of the local plan and sought to build in the views of our communities into this key document. Building on this, the Council recognised the value of neighbourhood planning and last year instigated a programme of support to ensure that Cheshire East is the lead authority in the country to promote neighbourhood planning and ensure our residents voices are heard in the development process.
- 3.4 Toward this, it's clear that the points outlined above are already being addressed via a full work programme in support of neighbourhood planning. Cheshire East council is the most active area in the North West for neighbourhood planning with 22 communities formally preparing neighbourhood plans. We've engaged with over 50 of our 116 parish and town councils and are proactively supporting communities to prepare neighbourhood plans that have the formal authority to express community views on land use and development issues.
- 3.5 Because of the support provided by this Council we've seen great success already with Sandbach and Bunbury reaching important milestones to publish draft versions of their neighbourhood plans for consultation. These impressive achievements have been accomplished in less than 8 months which is testament both to the hard work and commitment of these communities, and to the programme of support put in place by this Council. It is expected that a series of draft neighbourhood plans from other local councils will follow very shortly over the summer.
- 3.6 With this programme of support already in place, via the Neighbourhood Plan Team, this Council will continue to assist and advise communities with hands-on support from CEC officers and external advisors. In addition further financial assistance to support the programme is already in place and the Council has established a grant scheme to offer financial support of up to £7000 to communities preparing neighbourhood plans.

- 3.7 Further expressions of interest in preparing neighbourhood plans are encouraged and queries can be submitted to neighbourhoods@cheshireeast.gov.uk or by calling the team on 01270 685893.

3.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 The designation of a neighbourhood area, and the subsequent preparation of a neighbourhood plan, will allow a relevant local council to formally establish a community led vision for development and land use within their neighbourhood area. Once completed, neighbourhood plans will be adopted by Cheshire East Borough Council and form part of the Development Plan for the Borough. Policies held in any future neighbourhood plan will be used for decision making purposes (alongside those other relevant policies contained within the Cheshire East Development Plan) to shape development in accordance with the views of the community as formally expressed via the neighbourhood plan.

7.0 Implications for Rural Communities

- 7.1 Neighbourhood plans enable rural communities to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The neighbourhood planning process generally allows greater engagement of rural communities in the plan making process and for such communities to take ownership of developing planning policy which will directly affect their lives.

8.0 Financial Implications

- 8.1 Current support for neighbourhood planning is funded from within existing budgets and from grant funding made available by central government.

9.0 Legal Implications

- 9.1 The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004. These Regulations ("the Regulations") came into force on 6 April 2012.

- 9.2 Neighbourhood Development Plans and Orders, which may follow the making of a Neighbourhood Area, must be prepared in accordance with the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and the Regulations.

10.0 Risk Management

- 10.1 Neighbourhood plans will, once formally adopted ('made') by the Council, form part of the Development Plan for Cheshire East. Their content will be determined by the community through the process of plan making and may include site allocations for development or policies that relate to the development of land. As any future neighbourhood plan would form part of the Development Plan for Cheshire East the administration of such plans will become the responsibility of Cheshire East Council and the relevant guidance on process established in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and any further updated guidance, must be followed.

11.0 Background and Options

- 11.1 This report addresses the issues raised by the motion referred to in paragraph 1.1.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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