

NLPC/WG2

1st September 2015

Parish Council Members
Parish Clerk

NEIGHBOURHOOD PLAN SCOPING STUDY REPORT SEPTEMBER 2015

EXECUTIVE SUMMARY

Writing a Neighbourhood Plan is a significant piece of work which will require a dedicated team of enthusiasts to complete and a commitment on behalf of the village to participate and contribute.

Should the decision be made to proceed, some resources are available through RCC and external organisations to guide a Steering Group through the Neighbourhood Plan process. RCC are committed to supporting organisations that intend to write Neighbourhood Plans. A Central Government (DCLG) grant of £8,000 is available to help in the development of a Neighbourhood Plan. The cost of developing a Neighbourhood Plan could be in the order of £10k - £15k.

*Notwithstanding the Neighbourhood Plan considerations, at present the local development strategies prepared by Rutland County Council through the Core Strategy and Site Allocations and Policies Development Plan Document do provide a high level of protection to any unsuitable development in the Village. There is little scope within the Planned Limit of Development (**ANNEX C**) for further building in North Luffenham. (Note: The existing Planned Limits to Development (PLD) do not necessarily preclude the neighbourhood plan from considering allocating sites outside the PLD if they can be justified.)*

The Neighbourhood Plan will not address a number of key issues affecting the village such as Amenities, Recreation, and Transport which may be better addressed through the development of a Village Plan which is a non-statutory document used to inform the Parish Council and other organisations. There are significant funding implications which may need to be underwritten by the Parish Council.

It is the view of the authors of this report that a Neighbourhood Plan will not deliver sufficient advantage at this time to offset the work and funding required in its compilation. It is recommended that the Parish Council initially consider the development of a Village Plan which can encompass a broad range of issues affecting the village and in due course review the option of preparing a Neighbourhood Plan. This will not involve nugatory work as both plans have relevance and are not mutually exclusive.

1. BACKGROUND

1.1. At its meeting on 20th July 15, the Parish Council appointed Cllrs Cummings and Smith to produce a Scoping Study to consider the rationale for developing a Neighbourhood Plan. The Terms of Reference for this Scoping Study are attached at **ANNEX A**. The headings used in this document broadly follow those laid down in the ToR.

1.2. This report draws heavily upon the “Locality Neighbourhood Plans Roadmap Guide” – www.locality.org.uk, which we were advised by Rutland County Council, was an appropriate reference source. This useful reference guide provides a very clear summary of how to prepare a Neighbourhood Plan.

1.3. A Neighbourhood Plan is prepared by Town or Parish Councils as the ‘qualifying body’ and must comply with European and national legislation and have appropriate regard to national planning policy. In general terms, the plan must conform with the existing local planning policy in the County Council’s Local Plan and should not promote less development than is identified in the Council’s Local Plan. It can however allow greater growth levels and can provide guidance on how new development should be designed, orientated and located. A Neighbourhood Plan offers a powerful new planning tool for local communities, it would:¹

- Develop a shared vision for the neighbourhood.
- Set planning policies for the development and use of land.
- Give planning permission for development the community wants to have.

1.4. A neighbourhood plan must address the development and use of land. This is because if successful at examination and referendum the neighbourhood plan will become part of the statutory development plan once it has been made (brought into legal force) by the planning authority. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004). Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements.

1.5. Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex².

2. OPPORTUNITIES AND BENEFITS

2.1. To avoid misunderstanding and confusion we have attached at **Annex B** an extract from the Neighbourhood Plans Roadmap Guide which summarises what a Neighbourhood

¹ CPRE / NALC - Planning explained

² National Planning Framework

Plan is. In broad terms the Neighbourhood Plan is a 'planning' document rather than a Village socio-economic development plan.

2.2. **Pros.** The following opportunities and benefits may accrue from the development of a neighbourhood plan for North Luffenham:

- Development of a community led plan which will reflect the views and aspirations of the whole village.
- Local relevance – an opportunity to focus on local needs and what the local community would expect from new development in the area
- As a statutory planning document, a Neighbourhood Plan will provide influence on planning applications.
- The plan can identify the potential location and type of new development (can allocate sites) and provide guidance on how new development should be designed, orientated and located.
- Through the development of a Neighbourhood Plan the Parish Council can receive more local funding to spend on other projects - parishes with a neighbourhood plan can receive 25% of revenues (uncapped) from Community Infrastructure Levy (compared to 15% (capped) without)

2.3. **Cons.** The following disadvantages may accrue from the development of a neighbourhood plan for North Luffenham:

- Potential cost to Parish to fund consultants' and other costs associated with the development of the Plan.
- Distraction of Parish Council members from key responsibilities.
- Possibility of dissent and division within the Parish Council and the village if a vocal minority object to any proposal within the plan for future development.
- Potential for the development of a 'NIMBY' attitude, preventing long term development and growth.
- The proposed plan may make recommendations that are not supported by the Parish Council but by a majority of residents leading to the undermining of the Parish Council.

3. CONSULTATION

3.1. The authors of the report consulted:

- Peter Beever – Rutland County Council – Planning Policy
- RCC Neighbourhood Plan presentation to Oakham Town Council
- Andrew McGilvery – Chair Ketton Parish Council
- Rutland Site Allocations and Policies Development Plan Document. Adopted on 13 October 2014 by Rutland County Council. – rutland.gov.uk
- Locality Neighbourhood Plans Roadmap Guide – www.locality.org.uk
- Forum for Neighbourhood Planning – www.ourneighbourhoodplanning.org.uk
- Planning Advisory Service – pas.gov.uk
- Council for Protection of Rural England (CPRE) Rutland Branch

3.2. A draft of this document has been reviewed by Peter Beever, RCC Planning Policy Staff who has commented thus:

“I have marked comments on the documents but otherwise they give a clear picture of the situation and I have nothing more to add. It is really up to your parish council to decide whether it would benefit from preparing a neighbourhood plan and whether it would wish to commit the time and resources to doing this. It would be helpful if you could let us know what you decide, so that if necessary we can timetable this in to our work programme and estimate the resources that will be required at the Council to support this work.”

3.3. The comments made related to the DCLG grant and the potential to develop land outside the Planned Limits to Development (PLD) and have been incorporated into this document.

4. REVIEW EXISTING LOCAL POLICY TO IDENTIFY HOW WELL IT COVERS COMMUNITY CONCERNS AND ASPIRATIONS

4.1. Local planning policy is encapsulated in Rutland County Council's (RCC) Local Development Framework - Core Strategy and the Local Plan – Site Allocations & Policies (Both available through the RCC website).

4.2. The following extracts from the Development Plan help to highlight many of the 'protections' currently afforded to North Luffenham:

4.2.1. **Objective 3: Diverse and thriving villages** “To develop diverse and thriving villages by encouraging sustainable development where it supports the role of the larger villages as “service hubs” for the smaller villages and meets local needs in the smaller villages and maintains and improves their vitality and viability.”

4.2.2. **Policy SP5 - Built development in the towns and villages.** Sustainable development within the Planned Limits of Development of Oakham, Uppingham and the villages will be supported provided that:

- a) it is appropriate in scale and design to its location and to the size and character of the settlement;
- b) it would not adversely affect the environment or local amenity;
- c) it would not individually or cumulatively with other proposals, have a detrimental impact upon the form, character, appearance and setting of the settlement or neighbourhood and its surroundings;
- d) it would not be detrimental to features and spaces which contribute to the important character of the settlement and the locality.

4.2.3. Para 5.16 states that “The exact boundary of the countryside as so defined is determined by the Planned Limits of Development around the towns and villages.” This is as shown on the map at **ANNEX C**.

(RCC Comment: The existing Planned Limits to Development (PLD) do not necessarily preclude the neighbourhood plan from considering allocating sites outside the PLD if they can be justified.)

4.2.4. The plan indicates that “The smaller service centres have a more limited range of services and facilities and as such can only accommodate a minor level of development where appropriate to the scale and character of the village.”

4.2.5. **Affordable Homes.** Para 5.24 states that “Small sites for affordable housing will be considered as an exception to normal policies of restraint in accordance with Core Strategy Policy CS11 (Affordable housing). These may include small numbers of market homes where essential to allow the delivery of affordable units, as allowed for in the NPPF. Further details are contained in Policy SP9 (Affordable housing) and Policy SP10 (Market housing within rural exception sites).”

4.2.6. **Conservation Area.** In addition, as shown at Annex C, much of the older part of North Luffenham falls within a designated Conservation Area with the additional protection from development that such a designation brings.

5. **RESOURCE IMPLICATIONS**

5.1. Our research indicated that no two Neighbourhood Plans are identical in terms of resources needed. Resource implications include the funding of additional support in the form of consultants, which may be needed to help with the development of surveys, legal issues and the referendum. Through consultation with others, costs are estimated to be in the region of £10k - £15k to complete the process. It will be important from the outset to plan how these costs will be met and to ensure that a detailed budget is developed before any commitments are made.

6. **COSTS**

6.1. The costs involved (Estimated at £10k - £15K) are likely to include some or all of the following, depending upon the approach taken by the project team:

- Preparing/printing documents, leaflets
- Distribution, research, publicity,
- Any professional consultancy costs
- Policy writing

In addition to this, non-monetary costs such as people’s time will need to be taken into account.

7. **POSSIBLE SOURCES OF FUNDING AND SUPPORT**

7.1. RCC have confirmed that all groups writing a neighbourhood plan are eligible to apply for an £8,000 government (DCLG) grant (Details can be found on “My Community” website).

7.2. RCC have confirmed that it does not provide funding for neighbourhood planning per se, though it will cover costs of some key stages managed externally, including formal examination and referendum costs. In addition, RCC may be able to provide assistance / advice on legal procedures/requirements; attendance at some meetings; provision of background data/evidence and information on Local Plan documents and policies.

8. RESPONSIBILITY OF PARISH COUNCIL

8.1. If the Parish Council opt to take the lead in preparing the Neighbourhood Plan, the Parish Council's responsibilities are likely to include:

- Leading the process of preparing the neighbourhood plan
- Establishing a timetable and project plan - deciding who is going to do what and when.
- Decide what information is needed to prepare the plan and to gather the necessary evidence required.
- To apply for grants if needed, manage finances and to decide if/when there is a need to employ outside help (consultants).
- To engage with the local community and prepare a draft plan.
- Submit the draft plan to the Council for independent examination.

9. LOCAL AUTHORITY SUPPORT

9.1. Cllrs Cummings and Smith met Peter Beever BSc MA MRTPI - Senior Planning Officer (Planning Policy) of Rutland County Council at Catmose on 30 Jul 15. He confirmed that the County Council were broadly supportive of Parish Councils developing Neighbourhood Plans as part of an integrated planning process within the County. He indicated that the Edith Weston Neighbourhood Plan was currently considered as a good exemplar. He indicated that:

- There was no set time period for preparing a neighbourhood plan.
- That in his experience significant commitments would be needed in terms of time and energy to complete the plan.
- That current experience suggests that Neighbourhood Plans take 15 months to 2 years work
- That it was important that our plan should align with the Council's proposed Local Plan Review

12. PROCESS

If a decision is made to proceed with the development of a Neighbour Plan the process of doing so will be completed in 3 Phases:

12.1 Phase 1. Seek authority from RCC to proceed.

This will require the following documentation:

- a map identifying the area proposed to encapsulate the 'Neighbourhood', which could be the Parish Boundary or the current limit of development area.
- a statement why it is considered an appropriate neighbourhood area
- a statement that the organization making the application (The Parish Council) is a "qualifying body" – which it is.

12.2. Phase 2. Preparing the Plan

- Publicity

- Develop local partnerships
- Community consultation and engagement throughout
- Build an evidence base
- Develop a vision and aims for the plan
- Prepare policies, proposals and site allocations where appropriate
- Prepare and write the plan
- Carry out 6-weeks “Pre-submission” consultation and publicity

12.3. **PHASE 3. Bringing the Plan into force**

- Submit the plan to Rutland County Council with supporting documents.
- RCC will check that proper procedures have been followed in its preparation and that any necessary documents accompany the plan.
- RCC organizes:
 - 6-week publicity period for any representations on the plan.
 - Independent examination of the plan.
 - Local referendum.

13. **OPTIONS FOR FUTURE WORK**

13.1. The Parish Council should now consider the benefit of preparing a Neighbourhood Plan. Alternatively, it may opt to first consider developing a Village Plan, the focus of which would be on the aspirations and needs of the village rather than concentrating solely on planning issues, which would be the primary focus of a Neighbourhood Plan. The areas for consideration in the development of a Village Plan would be open for discussion, but an initial view of what might be included is shown at **ANNEX D**.

13.2. The development of a Village Plan would not involve substantial nugatory work and could in due course be used to inform a future Neighbourhood Plan, if in future a decision was made to write one.

14. **RECOMMENDATION**

14.1. It is the view of the authors of this report that a Neighbourhood Plan will not deliver sufficient advantage at this time to offset the work and funding required in its compilation. The aim of this proposal was initially to “enable the Parish Council to make strategic decisions about the development of the village and to manage its’ day to day business and meet the aspirations of villagers. The type of issues to be considered would include: environment; planning / development; transport and roads; recreational facilities; health; community issues; education; community safety; volunteers; senior citizens; youth / youth activities and any other issues considered relevant.” A Neighbourhood Plan would not achieve this as it is a very different entity, with its primary focus being to be a statutory planning instrument.

13.2. It is recommended that the Parish Council initially consider the development of a Village Plan which can encompass all of the issues noted above and in due course to review the option of preparing a Neighbourhood Plan. This will not involve nugatory work as both plans have relevance and are not mutually exclusive.

Original Signed
PBG CUMMINGS

Original Signed
TDW SMITH

ANNEXURES:

- A. Scoping Study ToR dated 20 Jul 15.
- B. Extract – What is a Neighbourhood Plan
- C. Map – North Luffenham – Extracted from RCC Development Plan
- D. Summary of topics that might be included in a Village Plan.

TERMS OF REFERENCE
WORKING GROUP TO PREPARE A NEIGHBOURHOOD PLAN SCOPING
STUDY - 20th JULY 2015

1. WHAT IS A NEIGHBOURHOOD PLAN

1.1. A Neighbourhood Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. A neighbourhood plan is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It may deal with a wide range of social, economic and environmental issues (such as housing, employment, heritage and transport).

1.2 A Neighbourhood Plan will be part of the statutory development plan for the area, if successful at referendum. This statutory status gives Neighbourhood Plans far more weight than some other local documents, such as parish plans, community plans and village design statements.

1.3. Once a Neighbourhood Plan has been completed, it will have to be submitted to the local authority and then be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with strategic local policy.

(Source: Locality – Neighbourhood Plans Roadmap Guide)

2. PURPOSE / ROLE

2.1. The purpose of the Working Group is to prepare a Scoping Study for NLPC to consider if such a plan is appropriate for North Luffenham.

2.2. The proposal to establish a Working Group to write a Neighbourhood Plan Scoping Study was formally endorsed by NLPC at its meeting held on 20 Jul 15.

3. PROJECT OBJECTIVES

- Identify the opportunities and benefits of producing a Neighbourhood Plan
- Consult a range of local people, partners and stakeholders to assess the level of interest
- Review existing local policy to identify how well it covers community concerns and aspirations
- Estimate resource implications (time and money) of producing a Neighbourhood plan

- Review possible sources of funding and support
- Meet the local authority to clarify the support it can offer under its duty to support
- Make a recommendation on whether to produce a Neighbourhood Plan

4. MEMBERSHIP

4.1. Membership of the Working Group will be:

- Cllr Paul Cummings (Chair)
- Cllr Tim Smith

the Group may wish to co-opt other members as necessary.

5. METHODOLOGY

5.1. The Working Group should consult with Rutland County Council Planning Policy staff and other local Parish Councils that have completed a Neighbourhood Plan (Edith Weston PC / Wakerley and Barrowden PC).

5.2. The following resources should be reviewed to help inform the Scoping Study report:

- Rutland Site Allocations and Policies Development Plan Document. Adopted on 13 October 2014 by Rutland County Council. – rutland.gov.uk
- Locality Neighbourhood Plans Roadmap Guide – www.locality.org
- Forum for Neighbourhood Planning – www.ourneighbourhoodplanning.org.uk
- Planning Advisory Service – pas.gov.uk
- Council for Protection of Rural England (CPRE) Rutland Branch

WORK PLAN

30 Jul – Meeting Peter Beever Senior Planning Officer (Planning Policy)
Rutland County Council

1 – 21 Aug – Research requirement and 1consult with others

21 – 30 Aug 15 – Write Draft Study Report

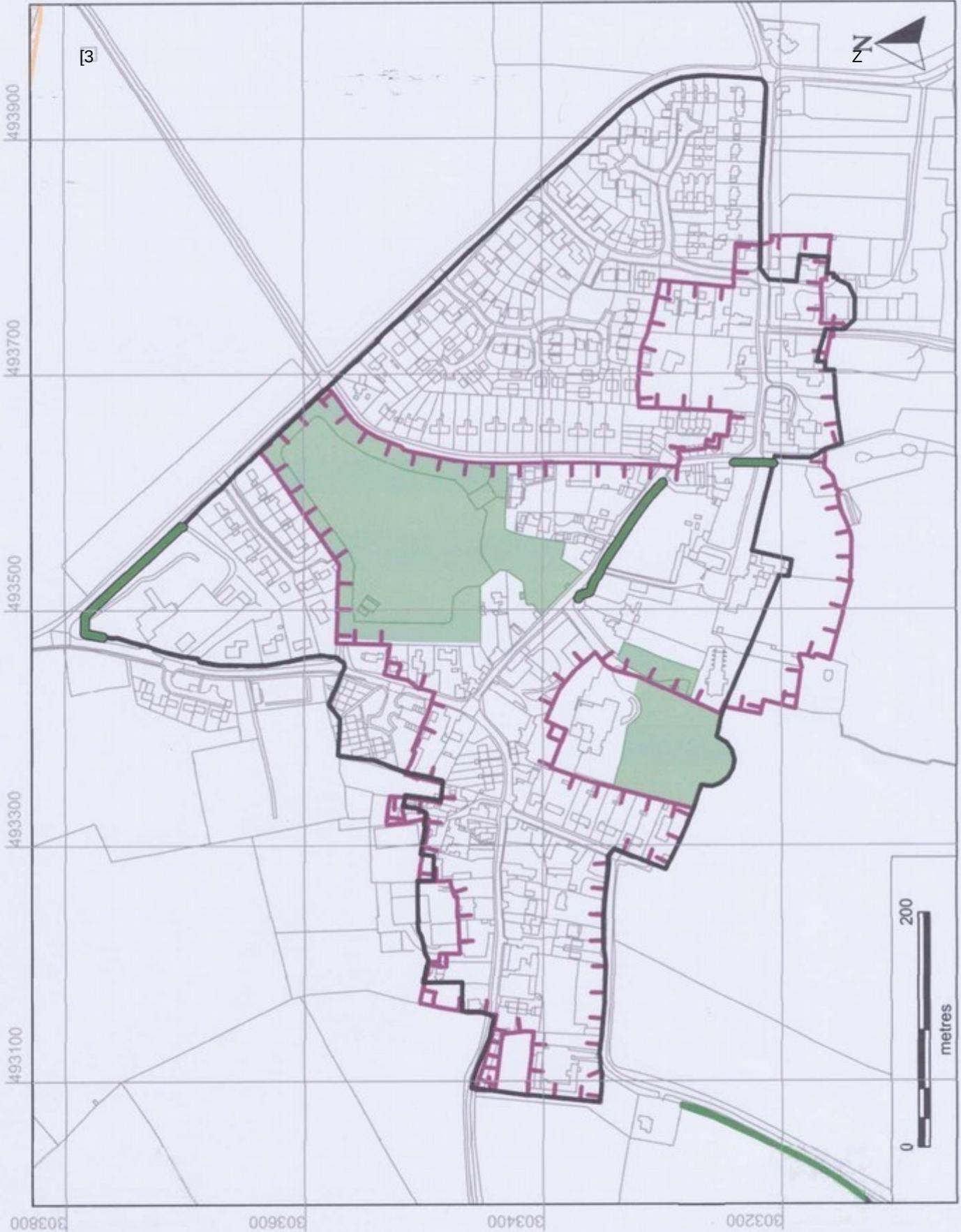
30 Aug 15 - Circulate scoping study in advance of PC meeting with recommendations to proceed or not.

PBG CUMMINGS

WHAT IS A NEIGHBOURHOOD PLAN

1. A Neighbourhood Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. A neighbourhood plan is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It may deal with a wide range of social, economic and environmental issues (such as housing, employment, heritage and transport).
2. A Neighbourhood Plan will be part of the statutory development plan for the area, if successful at referendum. This statutory status gives Neighbourhood Plans far more weight than some other local documents, such as parish plans, community plans and village design statements.
3. Once a Neighbourhood Plan has been completed, it will have to be submitted to the local authority and then be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with strategic local policy.
4. A Neighbourhood Plan must comply with European and national legislation and must have appropriate regard to national policy and be in general conformity with existing strategic local planning policy. It should not promote less development than that identified in the development plan for the local area (such as new housing allocations). It can allow greater growth levels. Also, it can specify policies and guidance on how new development should be designed, orientated and located. Neighbourhood Plans can be a powerful tool in shaping the development of a neighbourhood. The timeframe for the Neighbourhood Plan will be for communities to decide, for example whether it is a 5, 10, 15 or 20-year plan.
5. A robust programme of community engagement and proportionate evidence base should help to make sure that a neighbourhood plan is based on a proper understanding of the local area and of the views, aspirations, wants and needs of local people. Producing a clear project plan with key milestones could be very helpful in guiding the plan-making process
6. Once a Neighbourhood Plan has been completed, it will have to be submitted to the local authority and then be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with strategic local policy. Neighbourhood Plans will be subject to a public referendum. Once plans have been subjected to an independent examination and any necessary modifications made to ensure they meet important legal requirements, it is necessary to gain a more than 50% 'yes' vote of those voting in a public referendum in order to bring them into force.

This map should be read in conjunction with any neighbourhood plan that may have been prepared for the area



Key to Policies map and inset maps

Policy numbers refer to the Site Allocations & Policies DPD 2014 and the adopted Core Strategy DPD 2011

-  County Boundary
-  Adjoining District Council Area
-  Planned Limits of Development (Policy SP5)

Site Allocations

Residential Allocations

-  Sites for Residential Development
 - H1 - Oakham H6 - Ketton
 - H2 - Empingham H7 - Ketton
 - H3 - Empingham H8 - Ketton
 - H4 - Greetham H9 - Ryhall
 - H5 - Ketton
 (Policy SP2)

-  Sustainable Urban Extension (Core Strategy Policy CS5)

Employment Land

-  Safeguarded Employment Land (Core Strategy Policy CS13)

Retail Allocations

-  Sites for Retail Development
 - R1 - Oakham
 - R2 - Oakham
 (Policy SP3)

Waste Allocations

-  Sites for Waste Management and Disposal
 - W1 - Cottesmore W3 - Ketton
 - W2 - Greetham
 (Policy SP4)

Agricultural Showground & Sports Fields

-  New Agricultural Showground and Sports Fields (Core Strategy Policy CS5 F)

Military Bases and Prisons

-  Military Bases and Prisons
 - (i) Kendrew Barracks (Cottesmore)
 - (ii) Stocken Prison
 - (iii) St Georges Barracks (North Luffenham)
 (Policy SP11)

Town Centres

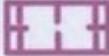
-  Town Centre Area (Policy SP12)
-  Primary Shopping Frontage (Policy SP12)
-  Secondary Shopping Frontage (Policy SP12)

Important Open Space and Frontages

-  Important Open Space (Policy SP21)

Important Frontages

The Historic Environment

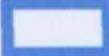
-  Boundary to Conservation Area (Policy SP20)

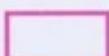
-  Boundary to Article 4 Direction (Policy SP20)

-  Scheduled Monument (Policy SP20)

-  Registered Park and Garden (Policy SP20)

Reservoirs

-  Rutland Water Area (Core Strategy Policy CS24)

-  Boundary to Recreation Areas
 - A = Barnsdale D = Normanton
 - B = Whitwell E = Gibbet Lane
 - C = Sykes Lane
 (Policy SP26)

-  Eyebrook Reservoir Area (Policy SP27)

Biodiversity and Geodiversity Conservation

Sites of International Importance for Nature Conservation

-  Boundary to Rutland Water (SPA/RAMSAR) (Policy SP19)

Sites of National Importance for Nature Conservation

-  Site of Special Scientific Interest (SSSI) (Policy SP19)

Sites of Local Importance for Nature Conservation

-  Regionally Important Geological Site (RIGS) (Policy SP19)
-  Local Wildlife Site (Policy SP19)
-  Candidate Local Wildlife Site (Policy SP19)

Information on Conservation Areas, Article 4 boundaries and Nature Conservation Sites is correct at the time of preparation of the plan. The latest position can be checked with the Council.



**Site Allocations & Policies
Development Plan Document
Adopted October 2014**

POTENTIAL AREAS FOR CONSIDERATION IN THE DEVELOPMENT OF A VILLAGE PLAN

(Note: This list is designed to be illustrative rather than comprehensive)

AIM

- To consult all residents about what we want in North Luffenham with regard to business, education, development of amenities, recreation, volunteer support, transport and housing and other issues of importance to the community.
- To provide the parish council with an action plan.

The plan might include the following topics:

THE VILLAGE

- History of the village
- Maps
- Photographic survey
- Size / Shape and Geography of the village
- Summary of development that has taken place in the village over time
- Demographics

VILLAGE SURVEY – To inform issues noted below:

PARISH COUNCIL OBJECTIVES

- Development of a Strategic overview
- Future development needs of the village
- Quality of life enhancements
- Development of a village 'spirit'
- Integration of resources and facilities
- Public access to the Parish Council
- Storage of records and equipment

AMENITIES

- Community Centre – Review operation, use and potential future development
- Oval and Field Gardens development
- Sports and recreation facilities (Play area / skate boarding)
- Library
- The Fox
- Development of a Village Hub including IT suite
- Review potential for a Village Community Shop

CONSERVATION/RECYCLING

CRIME

- Review crime statistics over past 5 years
- Identify common crime and ways of protecting villagers from such crime.

PARISH CHURCH

Review PCC's proposed plans for development of a 'performance area' and a 'café' area within the Church and integrate within other village aspirations. Encourage use of Church for further community activities.

EMPLOYMENT

- Local employment opportunities
- Home-working (Incl potential support to homeworkers)

TRANSPORT AND COMMUNICATION

- Public transport enhancements needed
- Super fast broadband
- Parish Council 'Transparency'
- Village newsletter
- Development of website

SCHOOLS / EDUCATION

- Pre-School
- Primary
- Secondary
- Tertiary
- Further education including Adult Education and U3A provision

SUPPORT FOR YOUTH

- Youth club
- Scouts / Guides / Army Cadets
- Summer activities

SUPPORT FOR FAMILIES

SUPPORT FOR THE ELDERLY

- Good companions and other activities
- Review additional support needed

OPPORTUNITIES FOR RETIRED

THE VILLAGE TRUST

VOLUNTEERING

- Good Neighbour Scheme
- Future opportunities – development of a funded Volunteer based 'Village Scheme' which might include Speed Watch, Befriending/Caring, Welcoming etc.
- Neighbourhood Watch, Fire safety scheme