

**Decision by Director of Planning under
Delegated Authority**



**Epping Forest
District Council**

Report reference: - Lambourne NPA

Date of report: 10 June 2021

Portfolio: Planning Policy

Author: N Blaken

Democratic Services:

Subject: Lambourne Neighbourhood Plan

Decision: To approve the designation of the Lambourne Parish Area as a Neighbourhood Area for the preparation of a neighbourhood development plan.

Authority for Delegated Decision (Minute Ref): Cabinet Minute 166 – 13 April 2015

I have read and approve/~~do not approve~~ (delete as appropriate) the above decision:

Comments/further action required:

Signed: N Richardson
Director of Planning

Date: 10 June 2021

**After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY**

Reason for decision:

To consider the application for the designation of the Lambourne neighbourhood area

Options considered and rejected:

To not approve the designation of the parish as a Neighbourhood area for the preparation of a neighbourhood development plan. As a result of changes to the regulations/legal framework the Council no longer has discretion where the application is for the entire Parish. This is therefore not an option.

Background Report:

1. The Government introduced Neighbourhood Planning as part of the Localism Act 2011 in order to enable town/parish councils and Neighbourhood Forums to actively participate in plan making. A Neighbourhood Development Plan (NDP), once it has passed a referendum, forms part of the statutory development plan and is therefore taken into account in the determination of planning applications. They can include housing and employment land allocations, policies and design statements and can be as simple or as complicated as the town/parish council choose. Crucially, the NDP must be in conformity with national planning

**Initialed as original copy by
Director of Neighbourhoods**

policy as well as the District Local Plan.

2. Under the 1990 Town and Country Planning Act and the Localism Act 2011, local planning authorities have a statutory duty “to give such advice or assistance to parish councils and designated Neighbourhood Forums as in all the circumstances, they consider appropriate for the purpose of, or in connection with facilitating the preparation of Neighbourhood Development Plans” (Schedule 4B, 1990 Town and Country Planning Act). The Neighbourhood Planning (General) and Development Management Procedure Order Regulations included a 2016 amendment of the 2012 Regulations which came into force on 1 October 2016. This removes the requirement to publicise an application for a Neighbourhood Area that covers the whole Parish. The Housing and Planning Act 2016 introduced new provisions to Section 61G of the Town and Country Planning Act so that if the application meets the criteria the Local Planning Authority must designate the specified area as a neighbourhood area.

Lambourne Neighbourhood Area Application

3. On 25 May 2021 Lambourne Parish Council wrote to the Council to request the designation of the whole Parish of Lambourne as a neighbourhood area for the purposes of preparing a neighbourhood plan. The letter included a map showing the proposed area. In accordance with The Neighbourhood Planning (General and Development Management Procedure (Amendment) Regulations 2016 the Council has no discretion and must designate the specified area as a neighbourhood area and publicise this decision on the Councils website as required by the Neighbourhood Planning General Regulations 2012 as amended.
4. Following designation of the neighbourhood area, the Parish Council will progress with the preparation of the NDP. A draft Plan must be submitted to the District Council. Representations will then be invited on the plan for a period of at least 6 weeks, after which an independent examination will be held. Finally, the Plan will be subject to a referendum before Full Council is asked to bring it into force. At this point the NDP will become part of the statutory development plan for Epping Forest District.

Resource Implications:

Currently neighbourhood planning is being delivered within existing resources. The Government has dedicated funding for the development of NDP's which is applied for at the appropriate point.

Legal and Governance Implications:

The legal and governance arrangements were agreed by Cabinet on 29 July 2013. More recently, in accordance with national practice it was agreed by Cabinet on 6 October 2014 to delegate future decisions to designate neighbourhoods following consultation with the Portfolio Holder, where the area covers the whole parish and there are no objections.

Safer, Cleaner and Greener Implications:

None

Consultation Undertaken:

Publication of the proposed designation is no longer required.

Background Papers:

Letter from Lambourne Parish Council dated 25th May 2021

Impact Assessments:

Risk Management

Council resources should be managed within existing budgets.

Key Decision Reference (Y/N): No

Due Regard Record

Name of policy or activity:

Determination of Neighbourhood Area designation for Lambourne Parish Council

Date / Name	Summary of equality analysis
	<p>This report is seeking the designation of a neighbourhood area covering the whole of Lambourne Parish.</p> <p>Once commenced, the Neighbourhood Plan may have various equality implications for a number of different groups, both in terms of the level of engagement that is undertaken during its preparation and the impact that any policies may have on different sections of the local community. However it is the duty of the Town Council to consider such issues during the preparation of the neighbourhood plan, and as such, the neighbourhood plan should be subject to equality analysis separately.</p>