



AGENDA ITEM:

SUMMARY

Report for:	Cabinet
Date of meeting:	18 September 2018
Part:	1
If Part II, reason:	N/A

Title of report:	Designation of the Bovingdon Neighbourhood Plan Area
Contact:	<p>Cllr Graham Sutton, Portfolio Holder for Planning and Infrastructure</p> <p>Author/Responsible Officer:</p> <p>James Doe, Assistant Director, Planning, Development and Regeneration</p> <p>Chris Taylor, Group Manager, Strategic Planning and Regeneration</p>
Purpose of report:	<ol style="list-style-type: none"> 1. To update Members on the progress of the Bovingdon Neighbourhood Plan project and to seek approval for the consultation on the potential designation of Bovingdon Parish are for its proposed Neighbourhood Plan 2. To agree approval and delegation arrangements of the formal designation of the Neighbourhood Plan Area.
Recommendations	<p>That Cabinet agree:</p> <ol style="list-style-type: none"> 1. The Neighbourhood Plan Area for Bovingdon is agreed to be consulted upon; and 2. That authority is delegated to the Assistant Director ,Planning, Development and Regeneration in consultation with the Portfolio Holder for Planning and Infrastructure to consider the consultation responses and formally designate the Bovingdon Neighbourhood Plan Area. .
Corporate Objectives:	<p>If the area is formally designated for neighbourhood planning, the Bovingdon Neighbourhood Plan may assist in supporting the following corporate priorities for Dacorum:</p> <ul style="list-style-type: none"> • <i>A clean, safe and enjoyable environment e.g. may</i>

	<p><u>Staff</u></p> <p>There are some imminent staffing implications as a result of this report, although in due course there could be some more significant implications for staffing (as we have a 'duty to support Neighbourhood Plans').</p> <p>Resourcing demand could be:</p> <ul style="list-style-type: none"> • Designation of the Neighbourhood Plan area • Advising and supporting evidence gathering for neighbourhood plans i.e. this could include some or all of the following: <ul style="list-style-type: none"> ○ making existing data and maps available for the evidence base ○ identifying key local strategic policies from the Local Plan ○ advising on relevant national policies/guidance ○ sharing information on key contacts, stakeholders and best practice plan-making activity ○ making available venues and helping to arrange community engagement activities ○ checking the plan prior to formal submission to give community confidence ○ providing technical support, such as assistance in laying out and illustrating a plan and ○ writing plan policies ○ providing members for neighbourhood forums or more informal working groups ○ setting up a neighbourhood planning web page on the local authority's website. • Screening emerging Neighbourhood Plan proposals as to whether they trigger a need for an Environmental Assessment or Habitats Regulations Assessment • Consultation on Submission of the neighbourhood plan • Appoint a person to carry out the independent examination of the neighbourhood plan • Explain and discuss modifications suggested by Independent examiner with parish or town council • Holding a referendum • Bringing the neighbourhood plan into legal force (at this point it would form part of the Local Plan for Dacorum) <p><u>Land</u></p> <p>No direct implications at this stage, although the planning documents and proposals that will be subject to future consultation could have implications for the future use of land within Bovingdon.</p>
Risk Implications	<p>In the longer term, the risk implications could be:</p> <ul style="list-style-type: none"> • Resource implications: dependent upon alignment of timetables for the neighbourhood plan and Dacorum Local Plan. Priorities could clash. • Potential for other neighbourhood plans to come forward. • Timetable for preparing for the neighbourhood plan is

	<p>with the parish council and not the Borough Council.</p> <ul style="list-style-type: none"> • Need to ensure local development requirements in the Local Plan are reflected in the neighbourhood plan.
Community Impact Assessment	<p>The Council's Sustainability Assessment (SA) into the emerging New Local Plan for Dacorum will provide an assessment of the community impacts more broadly affecting development within Bovingdon.</p> <p>It will be the responsibility of the Bovingdon Neighbourhood Plan group to determine whether further SA or Community Impact Assessment is required (in accordance with the regulations) as the plan progresses.</p>
Health And Safety Implications	None arising from this report.
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>The Council has a duty to support a Parish Council or Neighbourhood Forum in the preparation of a Neighbourhood Development Plan (NDP). This includes providing technical support expertise and resources to such level as the Council considers appropriate. The Council is also responsible for arranging an independent Inspection of the NDP and to meet the cost of the Inspection.</p> <p>If the NDP meets all the necessary criteria it can only come into being if more than 50% of those voting in a referendum vote in favour of it. If the referendum is in favour of the NDP it must be adopted by the Council. The Council is responsible for arranging the referendum which must take place in the Grovehill Neighbourhood Area and this process will be organised by the Election's team</p> <p>Deputy S.151 Officer</p> <p>At present there are limited financial liabilities in relation to the creation of this NDP. Any costs incurred that DBC are liable to meet will be met by MHCLG funding where applicable with any residual costs being met from within the existing planning and regeneration budgets.</p>
Consultees:	There has been no consultation on this report externally, although the proposed designation of this area will be consulted upon (in line with the regulations).
Background papers:	None.
Glossary of acronyms and any other abbreviations	LPA Local Planning Authorities

used in this report:	

Background to Neighbourhood Planning

1. Neighbourhood planning was introduced through the Localism Act 2011. It is one of the five measures of decentralisation, and gives local communities more control over housing and planning decisions through the right to prepare neighbourhood plans and neighbourhood development orders.
 - Neighbourhood plans can establish general planning policies for the development and use of land in a neighbourhood, for example identifying where new homes and offices should be built and what they should look like. Neighbourhood plan can seek to set a vision for the future and can be detailed or general depending on what local people want.
 - With a neighbourhood development order the community can grant planning permission for new buildings they want to see go ahead. Neighbourhood development orders will allow new homes and offices to be built without the developer having to apply for separate planning permission.
2. The Act sets out the process by which the neighbourhood plan must be prepared. Neighbourhood planning will be taken forward by either town and parish councils or 'neighbourhood forums'. Neighbourhood forums will be community groups that are designated to take forward neighbourhood planning in areas without parishes.
3. Appendix A details the process of preparing a neighbourhood plan. The local authority is responsible for the following steps
 - Confirming the designation of the proposed neighbourhood plan
 - Confirming the status of a proposed neighbourhood forum
 - Providing expertise and advice to neighbourhood forums and parish councils
 - Checking legal compliance
 - Appointing and organising the examination
 - Holding a referendum on the neighbourhood plan
 - Adopting ('making') the neighbourhood plan where all the requirements are met

The referendum ensures that the community agrees with the plan's proposals and whether it should be implemented. If more than 50% of the people voting in the referendum support the neighbourhood plan or the neighbourhood development order, then the local planning authority must bring it into force.

4. It should be noted that when the Neighbourhood Plan has been consulted upon, examined and 'made', the neighbourhood plans must be used to determine planning applications in a neighbourhood area.

Progress of the steering group to date

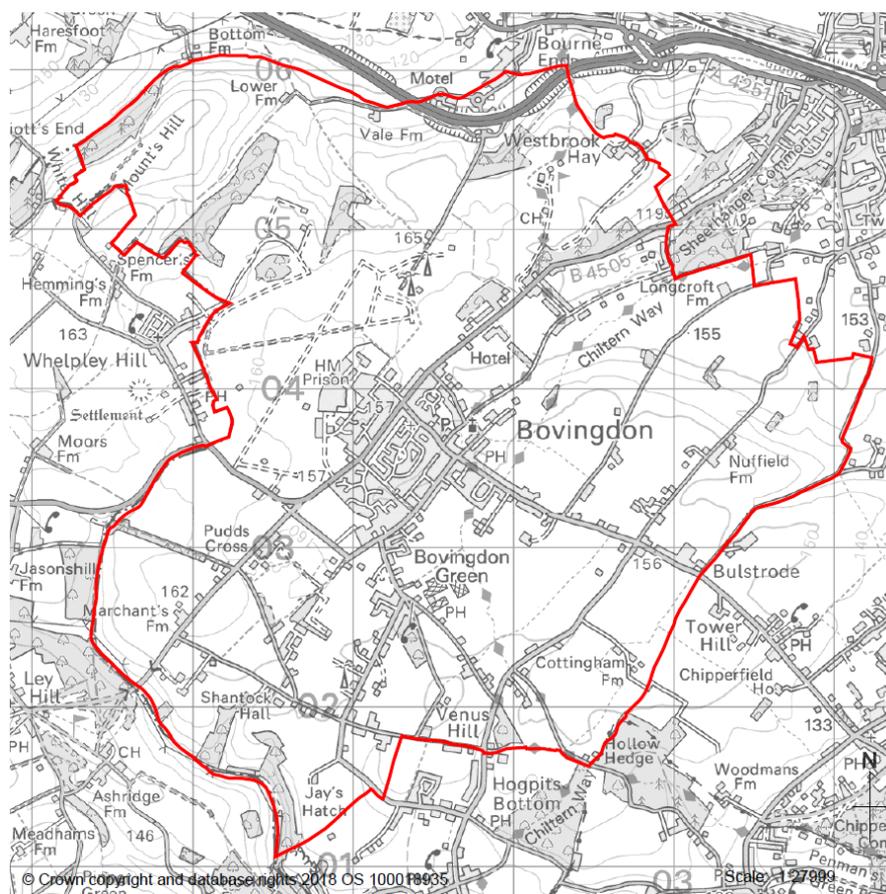
5. Bovingdon Parish Council has confirmed that it is making good progress with the help of a retained consultant, and have held three meetings of the Steering

Group and have another meeting scheduled with a survey company to gather evidence and data from residents and businesses. They wish to continue to progress this Neighbourhood Plan in a timely fashion.

Neighbourhood Plan Area Designation process

6. On 13th June 2018, Dacorum Borough Council received an application from Bovingdon Parish Council to designate the Bovingdon Neighbourhood Area. This application was subsequently checked to be coherent, consistent and appropriate ensure it was valid, according to the following criteria:
 - The area does not overlap with another Neighbourhood Area
 - The application is made by a qualifying body (the Parish Council)
 - The application contains a map
 - The area is suitable for Neighbourhood Planning
7. It should be acknowledged that an application to designate a neighbourhood plan area can only be refused if there are valid planning reasons.

8. The application to designate the neighbourhood plan area covers the whole of Bovington Parish Council area (as shown below):



This area has been provided alongside a statement explaining why this area is considered appropriate to be designated as a neighbourhood area (shown in Appendix B).

9. Once the application for designation is published and comments invited the decision must be issued within 8 weeks (as the relevant body is a parish council and the area relates to the whole of the area of the parish council).

Next Steps

10. The application to designate the neighbourhood plan area has been deemed to be valid and so officers propose provisional dates to undertake the consultation between 2nd October to 14th November 2018. Officers propose that this area application will be advertised in a manner which is considered likely to bring the area application to the attention of people who live, work or carry on business in the area. This will include a notice within the local press and on the Dorset Council website.
11. Feedback on this consultation will be fully considered by officers to ensure no valid planning issues have been raised which could lead to refusal of this area for neighbourhood planning purposes.
12. Once closed, the results of this consultation will be brought to the attention of Assistant Director for Planning, Development and Regeneration in consultation with the Portfolio Holder for Planning and Infrastructure for formal ratification of

the area for the purposes of Neighbourhood Planning (as the first formal stage of preparing a neighbourhood plan).

13. The local planning authority will then issue a formal notice of its decision to the Parish Council (and make this publically available). After designation, the neighbourhood area must be published on local authority website, including the following details:
 - The name of the neighbourhood area,
 - A map which identifies the area,
 - The name of the relevant body who applied for the designation.

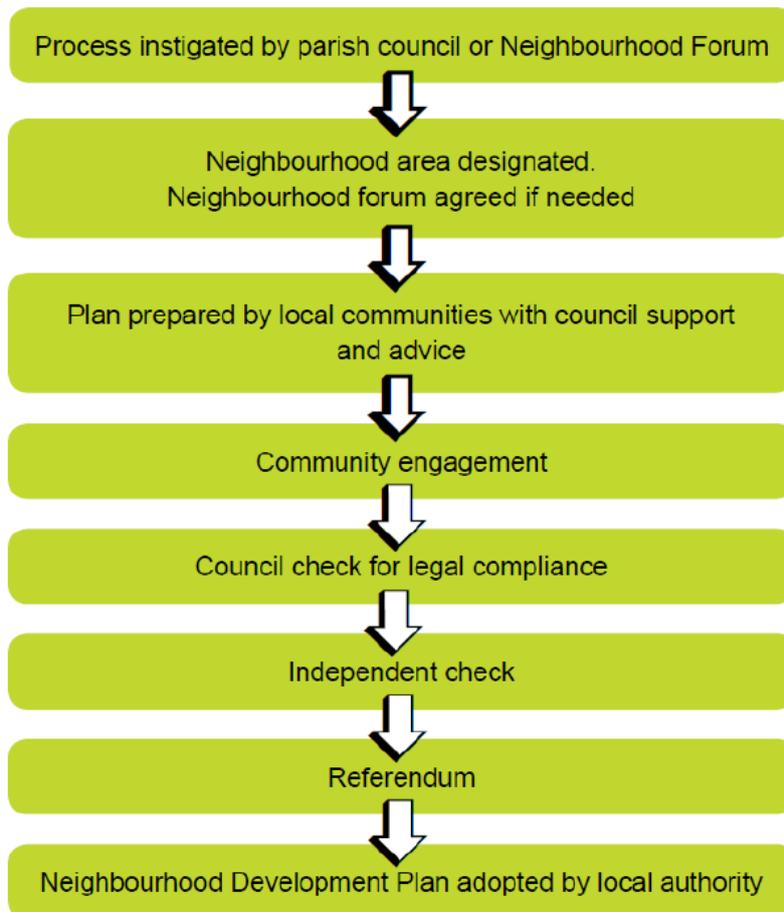
This information is proposed to be placed on the Council's current Neighbourhood Planning webpage¹.

Recommendation

14. That consultation on the potential designation of Bovingdon Parish area is agreed by Cabinet and delegation of the formal designation of the Neighbourhood Plan Area is given to the Assistant Director for Planning, Development and Regeneration in consultation with the Portfolio Holder for Planning and Infrastructure.

¹ <http://www.dacorum.gov.uk/home/regeneration/neighbourhood-planning>

Appendix A: Neighbourhood Plan process map



Appendix B: Bovingdon Parish Council's statement supporting their Area Designation application

Bovingdon Parish Council

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James Doe
Assistant Director – Planning, Development and Regeneration
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HP1 1DN

13 June 2018

Dear James

Proposed Neighbourhood Plan for Bovingdon Parish – Application for Designation of a Neighbourhood Area

I am writing to you with regards to the application for the designation of the Bovingdon Parish as a neighbourhood area.

To assist with this application, I am pleased to confirm the following:

- The enclosed plan identifies the area (bordered in black) to which this application relates.
- A Neighbourhood Plan for the Bovingdon Parish would allow the local community to have a direct say about the challenges that the local community has identified (such as pressures on green space, transport, schooling and healthcare, and the need to accommodate a growing population in Dacorum). The purpose of the Neighbourhood Plan will be to help ensure that development makes a positive and beneficial contribution to the wider community and is supported by improvements to local services and infrastructure.
- Bovingdon Parish Council is a relevant body for the purposes of Section 61G of the 1990 Planning Act.

Yours sincerely

Michael Kember
Clerk to Bovingdon Parish Council