



Report for:	Cabinet
Date of meeting:	30 July 2019
Part:	1
If Part II, reason:	N/A

Title of report:	<b>Designation of the Kings Langley Neighbourhood Plan Area</b>
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"> <li>1. To update Members on the progress of the Kings Langley Neighbourhood Plan project and to seek approval for the consultation on the potential designation of Kings Langley Parish for its proposed Neighbourhood Plan</li> <li>2. To agree approval and delegation arrangements of the formal designation of the Neighbourhood Plan Area.</li> </ol>
Recommendations	<p>That:</p> <ol style="list-style-type: none"> <li>1. The Neighbourhood Plan Area for Kings Langley is agreed to be consulted upon; and</li> <li>2. Formal arrangements for the designation of the Kings Langley Neighbourhood Plan area is delegated to the Assistant Director for Planning, Development and Regeneration in consultation with the Portfolio Holder for Planning and Infrastructure.</li> </ol>
Corporate Objectives:	<p>If the area is formally designated for neighbourhood planning, the Kings Langley Neighbourhood Plan may assist in supporting the following corporate priorities for Dacorum:</p> <ul style="list-style-type: none"> <li>• <i>A clean, safe and enjoyable environment</i> e.g. may contain policies relating to the design and layout of new</li> </ul>



	<p>neighbourhood plan can be 'made' (adopted) to form part of the Council's Local Plan.</p> <p><u>Staff</u></p> <p>There are some staffing implications as a result of this report and in due course these could be significant (as we have a 'duty to support Neighbourhood Plans').</p> <p>Resourcing demand could be:</p> <ul style="list-style-type: none"> <li>• Designation of the Neighbourhood Plan area</li> <li>• 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"> <li>○ making existing data and maps available for the evidence base</li> <li>○ identifying key local strategic policies from the Local Plan</li> <li>○ advising on relevant national policies/guidance</li> <li>○ sharing information on key contacts, stakeholders and best practice plan-making activity</li> <li>○ making available venues and helping to arrange community engagement activities</li> <li>○ checking the plan prior to formal submission to give community confidence</li> <li>○ providing technical support, such as assistance in laying out and illustrating a plan and</li> <li>○ writing plan policies</li> <li>○ providing members for neighbourhood forums or more informal working groups</li> <li>○ setting up a neighbourhood planning web page on the local authority's website.</li> </ul> </li> <li>• Screening emerging Neighbourhood Plan proposals as to whether they trigger a need for an Environmental Assessment or Habitats Regulations Assessment</li> <li>• Consultation on Submission of the neighbourhood plan</li> <li>• Appoint a person to carry out the independent examination of the neighbourhood plan</li> <li>• Explain and discuss modifications suggested by Independent examiner with parish or town council</li> <li>• Holding a referendum</li> <li>• Bringing the neighbourhood plan into legal force (at this point it would form part of the Local Plan for Dacorum)</li> </ul> <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 Kings Langley.</p>
Risk Implications	<p>In the longer term, the risk implications could be:</p> <ul style="list-style-type: none"> <li>• Resource implications: dependent upon alignment of timetables for the neighbourhood plan and Dacorum Local Plan. Priorities could clash.</li> <li>• Potential for other neighbourhood plans to come forward.</li> </ul>

	<ul style="list-style-type: none"> <li>• Timetable for preparing for the neighbourhood plan is with the parish council and not the Borough Council.</li> <li>• Need to ensure local development requirements in the Local Plan are reflected in the neighbourhood plan.</li> </ul>
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 Bovington.</p> <p>It will be the responsibility of the Kings Langley 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><b>Monitoring Officer:</b></p> <p>The legal requirements regarding neighbourhood development plans are set out within the Neighbourhood Plan Regulations 2012 and The Town and Country Planning Act 1990 (as amended).</p> <p>The Council as local planning authority should ensure that it meets its obligations under the above.</p> <p>The Secretary of State has the power to provide financial assistance concerning neighbourhood development orders under the Localism Act 2011.</p> <p><b>Deputy S.151 Officer</b></p> <p>There are no financial implications to DBC at present with funding provided through MHCLG.</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 used in this report:	LPA Local Planning Authorities

## **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.

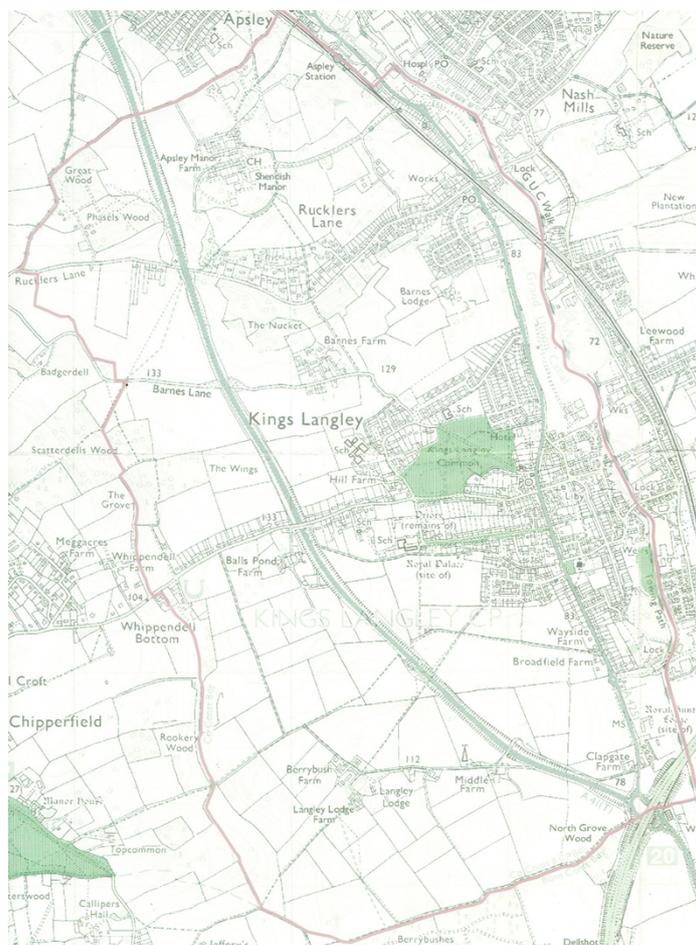
## **Progress to date**

5. Kings Langley Parish Council has confirmed that it is making good progress and will be obtaining the help of a retained consultant, a Steering Group has been appointed. The Parish Council have also produced a Village Survey Main Themes Report to assist in gathering 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 6<sup>th</sup> June 2019, Dacorum Borough Council received an application from Kings Langley Parish Council to designate the Kings Langley 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 Kings Langley 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 13<sup>th</sup> August to 25<sup>th</sup> September 2019. 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 Dacorum Borough 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 webpage<sup>1</sup>.

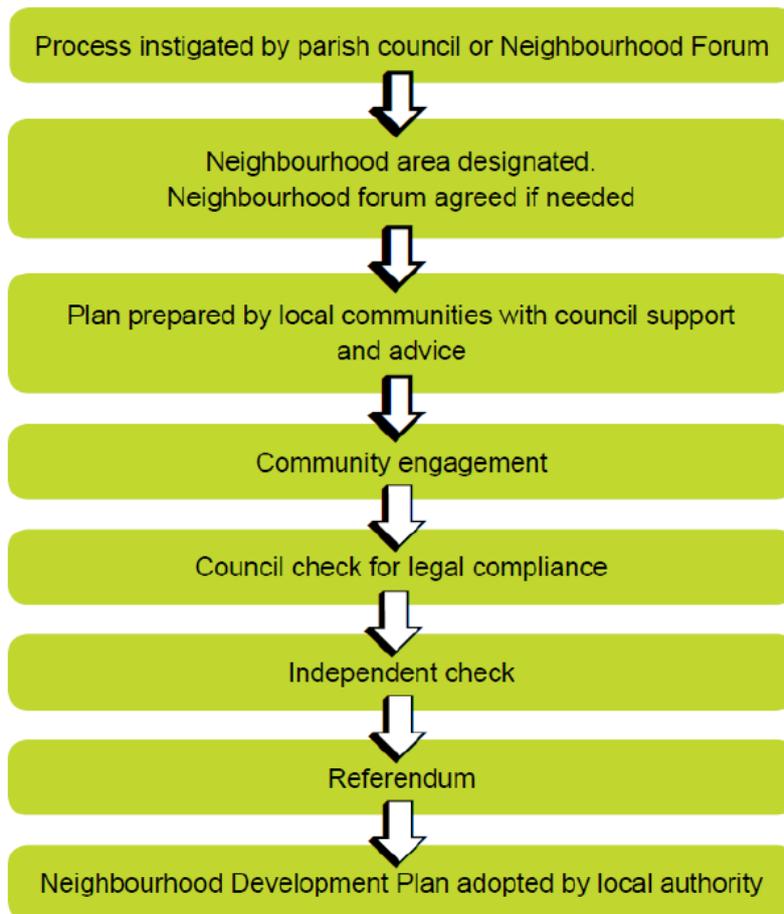
### **Recommendation**

14. That consultation on the potential designation of Kings Langley 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.

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

## Appendix A: Neighbourhood Plan process map



## Appendix B: Kings Langley Parish Council's statement supporting their Area Designation application



Edmund de Langley  
&  
Isabella de Castilla

### KINGS LANGLEY PARISH COUNCIL

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Mr James Doe  
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Dacorum Borough Council  
The Forum, Marlowes  
Hemel Hempstead  
Herts  
HP1 1DN

6<sup>th</sup> June 2019

Dear James

#### **Proposed Neighbourhood Plan for Kings Langley Parish Council – Application for Designation of a Neighbourhood Area**

At its meeting on 21<sup>st</sup> May 2019 the Council agreed that it wished to proceed with the development and creation of a Neighbourhood Plan, so please accept this letter as its application for the designation of Kings Langley Parish as a Neighbourhood area.

The enclosed plan identifies the area, bordered in a shade of red, to which this application relates.

A neighbourhood plan for Kings Langley Parish will allow the local community to have a direct say about the issues it faces, identified in a recent parish survey, which include housing (priorities) and environmental sustainability / pressures on the Green Belt. The purpose of the Neighbourhood Plan will be to help ensure that development makes a positive and beneficial contribution to the wider community, is supported by it, and by improvements to local services and infrastructure.

Kings Langley Parish Council is a relevant body for the purposes of Section 61G of the 1990 Planning Act.

Yours sincerely

Paul Dunham  
Clerk to the Council

*Serving our local community*

[www.kingslangley-pc.gov.uk](http://www.kingslangley-pc.gov.uk)