

Briefing for the Saddleworth and Lees District Executive

Saddleworth Parish Council application for designation as a Neighbourhood Planning Area

29th January 2015

Officer contact: Sarah Stansfield – Planning Officer x 1673

1. Neighbourhood Planning

- Neighbourhood Planning was introduced through the Localism Act 2011. Neighbourhood Planning Legislation came into effect in April 2012.
- Neighbourhood planning gives communities direct power to develop a vision for their neighbourhood to shape the development and growth of their local area. Through neighbourhood planning, communities would be able to:
 - Choose what type of development should take place and where it should be located;
 - Determine what development should look like;
 - Determine what infrastructure should be provided;
 - Grant planning permission for the new buildings they want to go ahead;
- A neighbourhood plan should support the strategic development needs set out in the council's Local Plan and should plan positively to support local development in accordance with the National Planning Policy Framework.
- A neighbourhood plan must address development and use of land. If successful at examination and referendum the neighbourhood plan will become part of the statutory development plan for the borough and will carry the same legal status as the Local Plan. Planning applications should be determined in accordance with the development plan unless there are material considerations that indicate otherwise.
- A Neighbourhood Plan can not contradict planning policies or sites allocated in the council's Local Development Plan and it should support the housing and employment land requirements set out in the Local Plan.
- An emerging neighbourhood plan may also be a material consideration in determining planning applications.

2. Who can submit an application

- Legislation states that applications for designating a neighbourhood area can be made by either a parish council or an organisation or body which is, or is capable of being, designated as a neighbourhood forum.

3. Key Stages in neighbourhood planning

- The Planning Practice Guidance outlines the following key stages:
 - Step 1: Designating neighbourhood area
Relevant body (in this case the parish council) submits an application to the local planning authority (LPA) to designate a neighbourhood area.
 - LPA publicises and consults on the area application for a minimum of six weeks.
 - LPA designates a neighbourhood area.
 - Step 2: Preparing a draft neighbourhood plan or Order
Qualifying body develops proposals and evidence base and engages with those living and working in the area and those with an interest in or affected by the proposals.
 - Step 3: Pre-submission publicity & consultation
Qualifying body publicises and consults on the draft Neighbourhood Plan; considers consultation responses and amends plan as appropriate. The qualifying body prepares supporting documents.
 - Step 4: Submission of a neighbourhood plan or Order proposal to the local planning authority
The qualifying body submits the plan to the LPA who check that the submitted proposal complies with all relevant legislation. If the LPA finds that the plan or order meets the legal requirements it must publicise the proposal and invite representations. The LPA must then appoint an independent examiner.
 - Step 5: The Independent Examination
LPA sends the plan to the Independent Examiner who undertakes an examination and issues a report to the LPA and qualifying body. The LPA must then consider the report and reach their own view. The LPA then take the decision on whether to send the plan to referendum.
 - Steps 6 and 7: Referendum and Making the neighbourhood plan or Order (bringing it into force)
Polling takes place and the results are declared. Subject to the result of the referendum, the LPA considers the plan or relation to EU obligations and Convention rights. If found compatible the LPA adopts the Neighbourhood Plan.

Please note that the information above provides a summary of the key stages. Further information can be viewed in the National Planning Policy Framework Planning Practice Guidance: <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

4. Saddleworth Parish Council interest in Neighbourhood Plan

- Saddleworth Parish Council has submitted an application for designation as a 'neighbourhood planning area' using the Parish Council boundary as a designation.
- The Parish Council boundary covers both Oldham Council and the Peak District National Park. The role of the Local Planning Authority in the Neighbourhood Planning process would therefore be undertaken by the Council and the National Park working together.
- The Council have already met with the National Park to discuss this role.

- The council and the National Park have been in contact with the Parish Council as the neighbourhood planning area designation submitted required further work before it could be considered.

5. Greater Manchester Spatial Framework and what this means for a Neighbourhood Plan

- The ten authorities of Greater Manchester are currently working on the early stages of a Greater Manchester Spatial Framework (GMSF). This will be an overarching joint Development Plan for Greater Manchester which will manage the supply of land in Greater Manchester for the next 20 years.
- The GMSF will identify future housing, employment and other land requirements for each of the ten Local Authorities and must link appropriately to the Local Authorities' Local Plans.
- It is anticipated that the GMSF will be adopted in 2018.
- We will need to make sure that our Local Plan is in conformity with the GMSF. Work on the Local Plan will continue alongside work on the GMSF and the Local Plan may be reviewed where appropriate.
- As a Neighbourhood Plan must be in conformity with the Local Plan of the LPA, a review of Oldham's Local Plan would impact on the work of the Saddleworth Neighbourhood Plan. If this is the case, a completed Neighbourhood Plan would also need to be reviewed.

6. Next Steps

- The council will continue to work with the Parish Council and will provide guidance where required. Once an appropriate application is submitted the council would work within the timescales to consult on the proposed designation.
- The Parish Council would then need to work on the next stage of the process to develop proposals, gather baseline evidence, engage with people living and working or with an interest in the area, talk to land owners and the development industry, identify options and to start to prepare proposal documents. The council and the National Park would provide guidance and assistance where needed during this process.
- The council will meet with the Parish Council to discuss future planning policy in the borough and what this means for a Neighbourhood Plan.