

NORTH LINCOLNSHIRE COUNCIL

**REGENERATION
CABINET MEMBER**

ELSHAM NEIGHBOURHOOD PLAN

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform the Cabinet Member about the outcome of the six week consultation on Elsham Parish Council's application to have their area formally designated for the purposes of preparing a Neighbourhood Plan.
- 1.2 To seek the Cabinet Member's approval to formally designate Elsham Parish Council's area for the purposes of preparing a Neighbourhood Plan.

2. BACKGROUND INFORMATION

- 2.1 The Localism Act 2011 provides the chance for local communities to get involved in the planning of their areas. They can now prepare neighbourhood plans, neighbourhood development orders and community right to build orders. Town and parish councils now have powers to shape and encourage new development.
- 2.2 Before groups start work on a Neighbourhood Plan, they must apply to the council to have the area they wish the plan to cover formally designated. We have to advertise the application for a six week period of consultation. We can then decide whether to designate the neighbourhood area. The council has to publish their decision with any reasons that apply.
- 2.3 Elsham Parish Council wants to prepare a Neighbourhood Plan for their area. They have duly submitted an application. The application was published for the six week consultation period. This ran from 14 April to 27 May 2014.
- 2.4 Comments were received from 7 groups, organisations and individuals. Details are attached at Appendix 1. The majority raised no particular objections to the proposed neighbourhood area. It mirrors the parish area. The Highways Agency had no comment to make about the proposed boundary. They did highlight that Junction 5 of the M180 is included within the proposal. As such, they are interested in being involved as proposals for this Neighbourhood Area develop. They will need to consider any impacts on the M180. Others provided some comments on matters for future consideration as part of the neighbourhood plan. These related to the natural environment and sports provision.
- 2.5 The council has no reason not to designate neighbourhood area boundary. If approved, we will issue a decision notice to the Parish/Town council (see

appendix 2). We will also arrange placing the notice in relevant locations. A more formal notice that will appear on local notice boards is attached in Appendix 3.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are two options for consideration
- 3.2 Option 1 – formally designate the Elsham Neighbourhood Area and publicise the designation.
- 3.3 Option 2 – do not formally designate the Elsham Neighbourhood Area and do not publicise the designation

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 ensures that the council meets its duties under the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 relating to neighbourhood planning. It would also allow the council to discharge its duty to support communities wishing to undertake neighbourhood planning. As no objections were raised to the proposed neighbourhood area, there is no reason not to approve the designation. This is the preferred option.
- 4.2 Option 2 would not achieve any of the above and would delay Elsham Parish Council in the timely preparation of their Neighbourhood Plan.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

The council can submit bids to the Department for Communities & Local Government (DCLG) for support funding relating to neighbourhood planning. This includes for providing advice/assistance, to hold the examination, and conduct the referendum. From April 2013 to March 2014 we can claim for up to £30,000 Neighbourhood Planning Grant per designated neighbourhood area. The payments are broken into stages to reflect the work involved in getting a plan to the point of publication prior to examination

Communities undertaking neighbourhood planning can apply to the 'Supporting Communities in Neighbourhood Planning' programme for financial assistance. They can apply for up to £7,000. Also parishes with a neighbourhood plan are eligible for up to 25% of any Community Infrastructure Levy (CIL) monies arising from developments in their area.

5.2 Staffing

Staffing for neighbourhood planning will be drawn from existing resources within Spatial Planning. In relation to the organisation and administration of the referendum staffing resources will be required from the Electoral Services team of Legal and Democratic Services.

- 5.3 There are no other resource implications.

6. OUTCOME OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

6.1 An integrated impact assessment was completed. No areas for concern were apparent.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

7.1 As outlined above.

8. RECOMMENDATIONS

8.1 That the Cabinet Member agrees to formally designate the Elsham Neighbourhood Area and publicise the designation.

DIRECTOR OF PLACES

Civic Centre
Ashby Road
SCUNTHORPE
North Lincolnshire
DN16 1AB
Author: Elizabeth Pearson
Date: 4 June 2014

Background papers used in the preparation of this report

Localism Act 2011

Statutory Instrument 2012 No. 637 – *The Neighbourhood Planning (General) Regulations 2012* (TSO, 2012)

Appendix 1 - Elsham Neighbourhood Area: Consultation Responses

Respondent ID	821943		
Name	Angela Atkinson, Marine Management Organisation		
Question 1: Do you think the area proposed is a suitable Neighbourhood Area?			
Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm that the MMO has no comments to submit in relation to this consultation.			
Question 2: Do you think the boundary of proposed Neighbourhood Area should be changed?(if yes, please state why)			
Question 3: Do you have any other comments on the Area Application?			

Respondent ID	67097		
Name	Richard Kisby, Environment Agency		
Question 1: Do you think the area proposed is a suitable Neighbourhood Area?			
The Environment Agency has no comment to make on the boundary line on the proposed Neighbourhood Plan for Elsham.			
Question 2: Do you think the boundary of proposed Neighbourhood Area should be changed?(if yes, please state why)			
Question 3: Do you have any other comments on the Area Application?			

Respondent ID	834073		
Name	Hannah Bottomley, Natural England		
Question 1: Do you think the area proposed is a suitable Neighbourhood Area?			
Thank you for notifying Natural England of/requesting information in respect of your Neighbourhood Planning Area dated 14 April 2014.			
<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements.</p> <p>The following is offered as general advice which may be of use in the preparation of your plan/ order.</p> <p>Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf</p> <p>Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at</p> <p>: http://www.nbn-nfbr.org.uk/nfbr.php</p> <p>Protected landscapes</p> <p>If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership.</p> <p>National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of</p>			

Appendix 1 - Elsham Neighbourhood Area: Consultation Responses

landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.

<http://www.naturalengland.org.uk/publications/nca/default.aspx>

Protected species

You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.

Natural England Standing Advice

Local Wildlife Sites

You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the local wildlife site.

Best Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that:

'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.

General mapped information on soil types is available as 'Soilscapes' on the www.magic.gov.uk and also from the LandIS website; <http://www.landis.org.uk/index.cfm> which contains more information about obtaining soil data.

Opportunities for enhancing the natural environment

Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again at consultations@naturalengland.org.uk

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Question 2: Do you think the boundary of proposed Neighbourhood Area should be changed?(if yes, please state why)

Question 3: Do you have any other comments on the Area Application?

Appendix 1 - Elsham Neighbourhood Area: Consultation Responses

Respondent ID	834062		
Name	Katie Clark, Anglian Water		
Question 1: Do you think the area proposed is a suitable Neighbourhood Area?			
Thank you for consulting Anglian Water on the Elsham Neighbourhood Area Consultation. I have no specific comments to make on the area of designation however I would be happy to review the draft plan once it has been produced.			
Question 2: Do you think the boundary of proposed Neighbourhood Area should be changed?(if yes, please state why)			
Question 3: Do you have any other comments on the Area Application?			

Respondent ID	108832		
Name	Ms. Sarah Watson-Quirk, Highways Agency		
Question 1: Do you think the area proposed is a suitable Neighbourhood Area?			
Thank you for your consultation on the boundary of the proposed Elsham Neighbourhood Area. The Highways Agency has no comment to make about the proposed boundary, although it is noted that Junction 5 of the M180 is included within the proposal and therefore the Agency would be very interested in being involved as proposals for this Neighbourhood Area develop in order that the impact of any proposed development on the operation of the M180 can be suitably assessed. Should you require any further information please do not hesitate to get in touch and the Agency looks forward to further discussions.			
Question 2: Do you think the boundary of proposed Neighbourhood Area should be changed?(if yes, please state why)			
Question 3: Do you have any other comments on the Area Application?			

Respondent ID	752789		
Name	Mrs Angela Grounds, Winterton Town Council		
Question 1: Do you think the area proposed is a suitable Neighbourhood Area?			
Winterton Town Council has no comment to make on this application.			
Question 2: Do you think the boundary of proposed Neighbourhood Area should be changed?(if yes, please state why)			
Question 3: Do you have any other comments on the Area Application?			

Respondent ID	823875		
Name	Marie White, Sport England		
Question 1: Do you think the area proposed is a suitable Neighbourhood Area?			
<p>Thank you for consulting Sport England on the above Neighbourhood Plan.</p> <p>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Parts 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, 'Playing Fields Policy - A Sporting Future for the Playing Fields of England'.</p> <p>http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below (although please be aware that this is in the process of being updated to reflect revised planning guidance):</p> <p>http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p>			

Appendix 1 - Elsham Neighbourhood Area: Consultation Responses

Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.

<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/>

If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If you need any further advice please do not hesitate to contact Sport England using the contact details below.

Question 2: Do you think the boundary of proposed Neighbourhood Area should be changed?(if yes, please state why)

Question 3: Do you have any other comments on the Area Application?

NAME OF NEIGHBOURHOOD AREA

ELSHAM NEIGHBOURHOOD AREA

TOWN/PARISH COUNCIL

ELSHAM PARISH COUNCIL

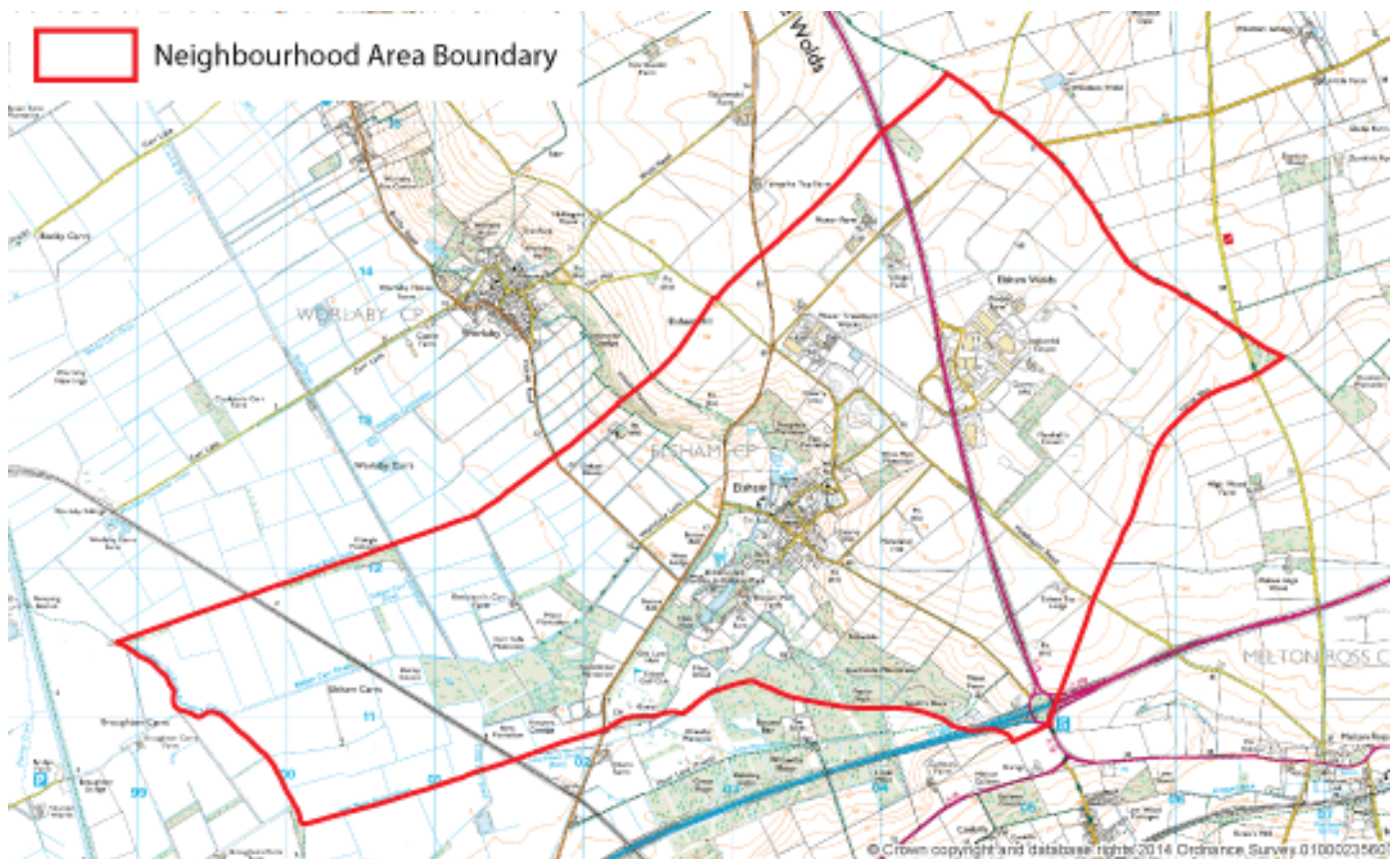
CONSULTATION DATES

14.04.2014 TO 27.05.2014

Elsham Neighbourhood Area



Neighbourhood Area Boundary



DETERMINATION

Is the organisation making the area application the relevant body under section 61G(2) of the 1990 Act?	Yes
Is the neighbourhood area considered appropriate? (Section 61G(4))	Yes
Does the area overlap another designated area? (Section 61G(7))	No
For a joint area application, are all relevant bodies included? (Section 61G(2))	Not Applicable
Were any comments received during the consultation period?	Yes
Summary of Comments Received	Comments were received from 7 groups, organisations and individuals. The majority of the comments raised no particular objections to the proposed neighbourhood area boundary. The Highways Agency had no comment to make about the proposed boundary, although it is noted that Junction 5 of the M180 is included within the proposal and therefore the Agency would be very interested in being involved as proposals for this Neighbourhood Area develop in order that the impact of any proposed development on the operation of the M180 can be suitably assessed. It was considered that the proposed boundary was appropriate as it mirrors the parish area. Others provided some broad brush advice on matters for future consideration as part of the neighbourhood plan in relation to the natural environment and sports provision
Responses to Comments Received	No response required.
Ward Member Comments	None received
Are any modifications required to this or any adjoining neighbourhood area? (Section 61H(6))	No
Any special circumstances to be taken into account	No

Decision under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012.

The application for the designation of Elsham Neighbourhood Area is: **APPROVED**

Cllr. E. Redfern

Leader of the Council & Cabinet Member for Regeneration

Date:

TOWN & COUNTRY PLANNING ACT 1990 (as amended) NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 NOTIFICATION OF DESIGNATION OF A NEIGHBOURHOOD AREA

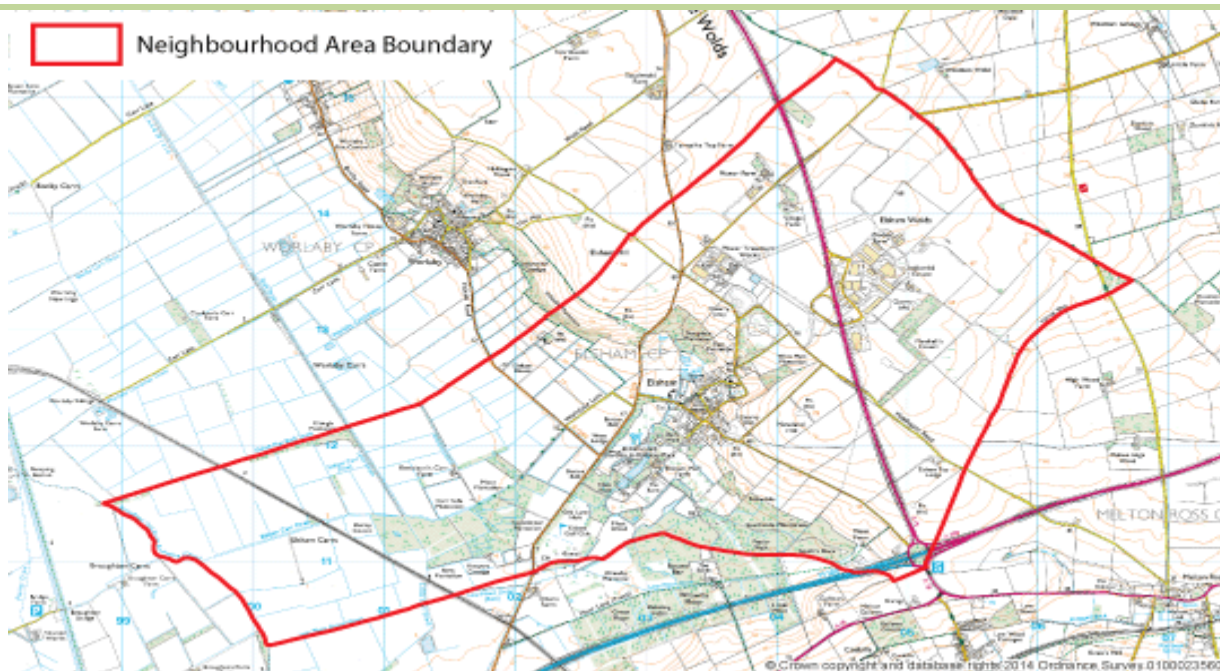
Notice is hereby given, in accordance with regulation 7 of the Neighbourhood Planning (General) Regulations 2012, that on [insert date] North Lincolnshire Council designated a neighbourhood area under section 61G of the Town and Country Planning Act 1990 (as amended by section 116 and Schedule 9 of the Localism Act 2011). The details of designation are as follows:

- Name of the Neighbourhood Area: Elsham Neighbourhood Area
- Area Designated: Whole parish area for Elsham, which is the same area covered by the Parish Council
- Relevant Body Who Applied for the Designation: Elsham Parish Council
- Date of Designation: [insert date]

Elsham Neighbourhood Area



Neighbourhood Area Boundary



The designation of the Elsham Neighbourhood Area enables the Parish Council to proceed with preparation of a neighbourhood development plan for their area.

Copies of the North Lincolnshire Council's decision and report to Members can be viewed on the council website at: <http://www.northlincs.gov.uk/planning-and-environment/planning-policy/evidence-monitoring-info/neighbourhood-planning/> and at the Civic Centre, Ashby Road Scunthorpe as well as at Local Link Offices in Brigg and Scunthorpe during normal opening hours.

If you have any queries regarding the neighbourhood area designation please contact the Spatial Planning team at spatial.planning@northlincs.gov.uk or call 01724 297577.

Cllr. E. Redfern
Leader of the Council & Cabinet Member for Regeneration.
[Insert Date]