

## **BRECKLAND DISTRICT COUNCIL**

**Report of Mark Kiddle-Morris, Executive Member for Assets and Strategic Development**

**To:** Cabinet – 29<sup>th</sup> October 2013

**(Author:** Phil Mileham – Deputy Planning Manager)

**Subject: Attleborough Neighbourhood Plan – Plan area designation**

### **Purpose:**

The purpose of this report is form Members to consider any strategic issues or consultation responses and to formally designate the Attleborough Neighbourhood Plan area.

### **Recommendation(s):**

**It is recommended that Members consider the contents of this report endorse Option 2 and confirm the amended Attleborough Neighbourhood Plan area as shown at Appendix B.**

## **1. BACKGROUND**

- 1.1 The Localism Act 2011 introduced the ability for Town and Parish Council's, along with designated Neighbourhood Forums to prepare Neighbourhood Plans to help promote growth and shape the development of their areas.
- 1.2 Neighbourhood Plans have Development Plan status, and their preparation is subject to the provisions of the Localism Act along with the Neighbourhood Planning (General) Regulations 2012.
- 1.3 One of the first key stages in the process is for the extent of the plan area put forward by the community to be designated by the Local Planning Authority. This normally occurs before the plan can begin to be developed, and will set the area within which the policies in the Neighbourhood Plan will apply.
- 1.4 Members will be aware that Attleborough Town Council, in partnership with Besthorpe Parish Council and Old Buckenham Parish Council submitted a proposal for the designation of a Neighbourhood Plan area to the Council on 20<sup>th</sup> August 2013.
- 1.5 This is the first formal application for a Neighbourhood Plan area that by the Council has received under the provisions of the Localism Act.

## **2. PROPOSED ATTLEBOROUGH NEIGHBOURHOOD PLAN AREA**

- 2.1 As indicated in paragraph 1.4 above, the Attleborough Neighbourhood plan area has been put forward by three Town and Parish Councils, although Attleborough Town Council is acting as the lead body. Members are reminded that Town and Parish Councils are relevant bodies for the purposes of section 61G of the 1990 Act, and as such, their formation does not require any separate designation by the Local Planning Authority.
- 2.2 The plan area put forward includes the whole of Attleborough Town Council's administrative area, along with parts of Besthorpe and Old Buckenham Parishes (see map at Appendix A). The submitted boundary included the whole of the built up area of the town. The proposed plan area extent has also been drawn to cover the land that

would form part of the proposed urban extension of the town as identified in the Council's adopted Core Strategy Development Plan Document.

- 2.3 The submitted plan statement that accompanied the area application has been considered. The community has expressed a desire to develop local policies for the strategic growth identified in the Council's adopted Core Strategy, and to move forward from the initial work on the (now cancelled) Attleborough and Snetterton Heath Area Action Plan. This approach is considered appropriate and that the plan area covers an area that will comprise the urban extension, but also have regard to land in other Parishes that may be affected.
- 2.4 The 1990 Act requires the Council to consider the desirability of confirming the whole or part of a Parish as a Neighbourhood Plan area. Section 61G(7) of the 1990 Act states that Neighbourhood areas must not overlap. Therefore, should Besthorpe or Old Buckenham choose to prepare a Neighbourhood Plan at some point in future then the designation of this area may impact on any future plan area boundaries that are received by the Council. Therefore, for the purposes of defining this area, as this has not been suggested by either Parish Council to date, then there are no current concerns with potentially overlapping plan areas.
- 2.5 The proposed plan area covers a potentially mixed type of development, which will include a predominance of residential development as well as additional employment land. However, as the area is not principally an employment area (in planning terms), there is no indication that the area should be designated as a Business area (as set out in 1990 Act).
- 2.6 The Council is currently preparing a new single Local Plan document which will, once adopted, replace the current suite of Local Development Framework documents. The Council has a duty to support the Neighbourhood Plan process, but will also need to work alongside the Attleborough Town Council and Besthorpe Parish Council as it moves forward with the new Local Plan to ensure that both documents are developed in a sound manner. This is due to the fact that the Neighbourhood Plan is required to be in broad conformity with the strategic policies of the Local Plan, which itself will need to provide the strategic direction for growth and change in the district.

### **3. PUBLICATION OF THE PROPOSED PLAN AREA**

- 3.1 As required by Regulation 6 of the Neighbourhood Planning (General) Regulations 2012, the Council has publicised the area application designation for a six week period which closed on 27<sup>th</sup> September. A formal notice was placed in the local press (the Attleborough and Wymondham Mercury), as well as on the Council's website advising of the publication period and how to make responses. Copies of the material were placed in the Attleborough Library, the Town Council Offices and at the Council's principal office in Dereham. In addition, adjoining Parish Councils were advised of the publication by letter. However, members are reminded that the wider publication and consultation on the Neighbourhood Plan will be the responsibility of the Town or Parish Council as it moves forward.
- 3.2 The publication period elicited one response from Old Buckenham Parish Council (one of the three submitting bodies). New Buckenham Parish Council indicated that they had no comments to make. The response from Old Buckenham Parish Council indicated they no longer wished for land in Old Buckenham Parish to be included in the Attleborough Neighbourhood Plan area. Attleborough Town Council has indicated that the removal of land in Old Buckenham would not give rise to concerns from them for the preparation of the plan.
- 3.3 Therefore, in light of this position from Old Buckenham Parish Council, Breckland Council can designate an amended boundary and remove land within Old Buckenham. It is considered that this is an appropriate response and would negate the need for the community to resubmit an amended area and undertake a further 6 week publication

period. After designation of the plan area, the Council is required by Regulation 7 of the Neighbourhood Planning Regulations to publicise this fact and this will be carried out in the same manner as per the previous consultation.

#### **4. OPTIONS**

There are essentially two options open to Members, which are as follows:

- Option 1 – Cabinet considers the content of this report confirms the Neighbourhood Plan area as submitted by the three Town and Parish Councils as set out at Appendix A.
- Option 2 – Cabinet considers the content of this report confirms the amended Neighbourhood Plan area as set out at Appendix B of this report.

#### **5. REASONS FOR RECOMMENDATION**

- 5.1 It is recommended that Cabinet endorses Option 2 above. This is due to the representations made during the publication period by Old Buckenham Parish Council who no longer wish for land within their Parish to be included within in the Plan area boundary.
- 5.2 Therefore, the proposed amended boundary reflects the original submission with the exception of any land within Old Buckenham Parish.

#### **6. EXPECTED BENEFITS**

- 6.1 The expected benefits of confirming the plan area is to enable the community to move forward with the preparation of the Neighbourhood Plan.

#### **7. IMPLICATIONS**

##### **7.1 Legal**

- 7.1.1 The designation of Neighbourhood Plans is in accordance with the Neighbourhood Planning (General) Regulations 2012, as well as the provisions of the Localism Act 2011.

##### **7.2 Risks**

- 7.2.1 None.

##### **7.3 Financial**

- 7.3.1 There will be a small cost to the Council for the placing of the required press notices upon confirmation of the Plan area boundary.

##### **7.4 Timescales**

- 7.4.1 The timescale for the preparation of the Neighbourhood Plan itself will be set by the community.

##### **7.5 Equality and Diversity**

- 7.5.1 There are not considered to be any equality and diversity implications arising from this report.

##### **7.6 Stakeholders / Consultation**

- 7.6.1 The Neighbourhood Plan area boundary was publicised in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012, which included a notice in the local press, copies placed in presence offices, Attleborough Library, Breckland Council's principal office as well as being placed on the Council's website. The Council also wrote to adjoining Parish Councils advising of the publication period.

##### **7.7 Contracts**

- 7.7.1 There are no contractual implications arising from this report.

**7.8 Section 17, Crime & Disorder Act 1998**

7.8.1 None.

**8. WARDS/COMMUNITIES AFFECTED**

8.1 This report affects all wards in Attleborough (Queens, Burgh and Haverscroft), as well as the Ward of Buckenham.

Background papers:-

*None*

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**Director/Officer who will be attending the Meeting**

Name/Post:

Phil Mileham – Deputy Planning Manager

**Key Decision – Yes**

**Appendices attached to this report:**

Appendix A – Submitted Attleborough Neighbourhood Plan area boundary

Appendix B – Amended Attleborough Neighbourhood Plan area boundary