

Wards Affected:

Olney

OLNEY NEIGHBOURHOOD PLAN AREA APPLICATION

Decision taker: Councillor Hopkins (Cabinet member for Economic Development and Enterprise)

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Executive Summary:

In accordance with the Neighbourhood Planning (General) Regulations 2012, Olney Town Council submitted an application to designate the whole parish as a Neighbourhood Area, which was advertised for six weeks of public consultation between 22 January 2014 and 5 March 2014. The only two responses to the consultation were received, from South Northamptonshire Council and the Borough Council of Wellingborough. Neither had any objections to the proposed Neighbourhood Area. This report recommends that the proposed Neighbourhood Area is approved, as originally submitted.

1. Recommendation(s)

- 1.1 That the Neighbourhood Area application for Olney be approved in accordance with Section 61G of the Town and Country Planning Act, 1990 (as amended).

2. Issues

- 2.1 Olney Town Council submitted an application to Milton Keynes Council on 21 November 2013, to designate the parish of Olney as a Neighbourhood Area. This area is shown in the **Annex**. This application was made in accordance with Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, which requires a Parish Council submitting an area application to include:
- a map which shows the area to be designated;
 - a statement explaining why the Parish Council considers the area to be appropriate for designation; and
 - confirmation that the Parish Council concerned is the relevant body for the purpose of neighbourhood planning for that area.
- 2.2 In accordance with Regulation 6 of those Regulations, Milton Keynes Council published the area application, and held a six week public consultation period between 22 January 2014 and 5 March 2014. This was advertised in the MK News, on the Council's website, in the Council's internal Tuesday Bulletin communication, in the Members' Weekly News, and through direct emails to the Councillors of the Wards affected, all Parish Councils and South Northamptonshire Council and the Borough Council of Wellingborough.
- 2.3 Only two responses to the consultation were received. These were from South Northamptonshire Council and the Borough Council of Wellingborough. Neither had any objections to the proposed Neighbourhood Area. Taking account of

this, it is considered that it is appropriate to designate the Olney Neighbourhood Area, as originally proposed by the Town Council and shown in the Annex. This conclusion has been supported by Olney Town Council.

3. Options

- 3.1 Once a Neighbourhood Area application is submitted, the 2012 Regulations require the Council to come to a view on the proposed area and publicise that decision. This report recommends that the area originally proposed by the Town Council is approved as a Neighbourhood Area. However, if it is considered that this recommendation is not appropriate, the Neighbourhood Area application could be refused. Olney Town Council could then choose to submit a revised application to Milton Keynes Council, which will then be subject to further advertisement and consultation.

4. Implications

4.1 Policy

The National Planning Policy Framework sets out that Neighbourhood Plans must be in general conformity with the strategic policies of the development plan. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans and Development Orders should not promote less development than set out in the Local Plan or undermine its strategic policies. In Milton Keynes, the strategic policies are set out in the Local Plan and the Core Strategy.

Once a Neighbourhood Plan has successfully passed all of the stages of preparation, including an examination and referendum, it is 'adopted' by the local planning authority, forms part of the authority's Development Plan and is a material consideration when considering development proposals. In terms of the planning policy hierarchy, a Neighbourhood Plan, once adopted, carries more weight than a Supplementary Planning Document.

4.2 Resources and Risk

Neighbourhood planning is part of the Government's initiative to empower local communities to take forward planning proposals at a local level. The Localism Act and the 2012 Regulations place new duties on local planning authorities in relation to Neighbourhood Planning. These new duties have implications for staff resources, as the Council has a duty to support Parish Councils wishing to undertake Neighbourhood Planning. These duties include taking decisions at key stages in the process; being proactive in providing advice to communities about Neighbourhood Planning; and providing advice or assistance to a Town or Parish Council, Neighbourhood Forum or community organisation undertaking Neighbourhood Planning. Staff resources to support Neighbourhood Planning will come from the existing staff within the Development Plans team.

In recognition of the additional burdens that these new duties place on local planning authorities, DCLG has made available grants to local planning authorities of up to £30,000 for each Neighbourhood plan to cover examination and referendum costs, provided the plan is adopted. This payment is phased so that £5,000 is available when the neighbourhood area is designated; a further

£5,000 when the plan is submitted to the local authority for publicity and examination; and the final £20,000 following successful examination.

N	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

The proposal does not impact on carbon and energy management.

4.4 Legal

The relevant statutory provisions in relation to Neighbourhood Plans are contained in The Town and Country Planning Act 1990 (as amended), the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. Government guidance on neighbourhood plans is also contained in the National Planning Policy Framework. This legislation and guidance confers specific functions on local planning authorities in relation to neighbourhood planning.

Milton Keynes Council has held a public consultation on the Neighbourhood Area application in accordance with Regulation 6 of the 2012 Regulations,

At its meeting of 25 July 2012, Cabinet agreed the decisions in the Neighbourhood Planning process that would be delegated to the Cabinet Member responsible for Strategic Planning. This scheme of delegation included the decision of whether to accept and designate a Neighbourhood Area, as is recommended in this report.

The decision to designate the Neighbourhood Area could technically be challenged by judicial review and could also be subject to a request to call in to the Council's Executive Scrutiny Panel. However, since the proposed Neighbourhood Area is the same as the Parish area and also since no objections were received during the consultation period; it is thought that the risk of either of these two eventualities is low.

4.5 Other Implications

Stakeholders:

The proposed Neighbourhood Area application has been the subject of consultation for six weeks and the views of stakeholders are reported in this report.

Consultation and involvement of stakeholders is an important part of the neighbourhood planning process and will ultimately be tested by a single issue referendum at the end of the process.

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder

Background Papers: Localism Act (2011)
 The Neighbourhood Planning (General) Regulations (2012)
 Town and Country Planning Act (1990) (as amended)
 National Planning Policy Framework (2012)

Annex – Olney Proposed Neighbourhood Area