

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Portfolio Holder for Growth and Commercialisation and Executive Director Commercialisation (S151 Officer)

**To:** Cabinet – 28<sup>th</sup> March 2017

**(Author:** Lucy Buttery – Planning Policy Officer)

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

**Purpose:** The purpose of this report is for Members to formally designate the Surfleet Neighbourhood Plan area

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

**It is recommended that Members consider the contents of this report and Appendix A and endorse Option 1.**

### **1.0 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 Surfleet Parish Council submitted a proposal for the designation of a Neighbourhood Plan area to the Council on 25<sup>th</sup> November 2016.
- 1.5 This is the first formal application for a Neighbourhood Plan area that the Council has received under the provisions of the Localism Act.

### **2.0 PROPOSED SURFLEET NEIGHBOURHOOD PLAN AREA**

- 2.1 As indicated in paragraph 1.4 above, the Surfleet Neighbourhood Plan area has been put forward by Surfleet Parish Council. Members are reminded that Parish Councils are a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990 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 the parish of Surfleet (see map in Appendix A).

- 2.3 The submitted statement that accompanied the area application has been considered. The community has expressed a desire to complement the emerging South East Lincolnshire Local Plan with local policies to influence how development takes place, such as through design policies for example. This approach is considered appropriate.
- 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 Plan areas must not overlap. The Neighbourhood Plan area submitted by Surfleet Parish Council is considered appropriate as it will avert potential future issues of overlapping should a proposal be made to designate a Neighbourhood Plan area in an adjacent parish.
- 2.5 Given that 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 the 1990 Act).
- 2.6 The Council is at the final stage of producing a new single Local Plan document (in conjunction with Boston Borough Council and Lincolnshire County Council) which, once adopted, will replace the current suite of Statutory Development Plan documents. The Council has a duty to support the Neighbourhood Plan process and so will need to work alongside Surfleet Parish Council as it moves through the most critical stage of the Local Plan process. 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 seeks to provide the strategic direction for growth and change in South East Lincolnshire.

### 3.0 **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 application to designate the Neighbourhood Plan area for a six week period which closed on 3<sup>rd</sup> March. A formal notice was placed in the local press (the Spalding Voice), as well as on the Council's website advising of the publication period and how to make responses. However, Members are reminded that the wider publication and consultation on the Neighbourhood Plan will be the responsibility of the Parish Council as it moves forward.
- 3.2 The publication period elicited one response from a resident of Surfleet. However, this representation did not relate to the submitted Plan area itself, rather it was concerned with future aspirations for the area. It is therefore considered that the response does not affect the extent of the Neighbourhood Plan area proposed, and the comments have been forwarded to the Parish Council to help them develop the Plan. 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.

### 4.0 **OPTIONS**

- 4.1 There are two options open to Members, which are as follows:
- Option 1 – Cabinet considers the content of this report and confirms the Neighbourhood Plan area as submitted by Surfleet Parish Council as set out in Appendix A of this report.
  - Option 2 – Do nothing.

## 5.0 REASONS FOR RECOMMENDATION(S)

5.1 It is recommended that Cabinet endorses Option 1 above. As highlighted within the report, it is considered that no issues were raised during the prescribed consultation period that should affect the confirmation of the Neighbourhood Plan area.

5.2 The alternative option to 'do nothing' would prevent the Neighbourhood Plan from moving forward.

## 6.0 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.

## 7.0 IMPLICATIONS

### 7.1 Constitution & Legal

7.1.2 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 Corporate Priorities

7.2.1 Confirmation of the Plan area, thereby facilitating the advancement of the Neighbourhood Plan, will help support the Council's Corporate Priority to "have pride in South Holland by supporting the district and residents to develop and thrive".

### 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 which is funded through the Local Plan production budget.

### 7.4 Stakeholders / Consultation / Timescales

7.4.1 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 as well as being placed on the Council's website.

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

## 8.0 WARDS/COMMUNITIES AFFECTED

8.1 This report affects Pinchbeck and Surfleet Parish.

## 9.0 ACRONYMS

9.1 None

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Background papers:- None

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**

**Appendices attached to this report:**

Appendix A Submitted Surfleet Neighbourhood Plan area boundary