



Cabinet
27 July 2015

**Report from the Strategic Director,
Regeneration and Growth**

Wards affected:
Sudbury & Northwick Park

Sudbury Town Neighbourhood Plan Referendum

1.0 Summary

- 1.1 Following the independent examination of the Sudbury Town Neighbourhood Plan, approval is sought for the Plan to proceed to referendum subject to the modifications set out in the examiner's report. Subject to the majority of those who vote in the referendum being in favour of the Plan, it is recommended the Plan is made (adopted) by the Council as planning policy for the neighbourhood area.

2.0 Recommendations

- 2.1 That Cabinet agree:
- a) That Sudbury Town Neighbourhood Plan, incorporating the recommended changes of the examiner, proceed to referendum.
 - b) That subject to the majority of those who vote in the referendum being in favour of the Plan, the Plan is made (adopted) by the Council.

3.0 Background

- 3.1 Neighbourhood Planning was introduced through the Localism Act 2011. It enables communities to develop planning policies that will become part of the planning framework for their area. Neighbourhood planning is delivered by 'neighbourhood forums' for their 'neighbourhood area'.
- 3.2 On 12 December 2012 the Council approved the designation of Sudbury Town Neighbourhood Forum and Neighbourhood Area. The forum undertook a series of consultation events and exercises between May 2012 and March 2014. This included consultation on an Options Report during November and December 2013, and consultation on the Draft Neighbourhood Plan for a 6 week period during January and March 2014. The consultation undertaken informed the draft Neighbourhood Plan which was formally submitted to the Council on 12 August 2014. Following formal submission the Council published the Plan and invited comments from the public and

stakeholders. The consultation period ran from 23 October to 3 December 2014. Six representations were received all of which were broadly supportive of the Plan.

3.3 The vision of the Neighbourhood Plan is ‘to create a greener, cleaner, safer Sudbury Town, with a High Street at the heart of the community that we can all be proud of.’ The Plan contains six key planning policies. In summary these are:-

- STNP 1 seeks to promote a mix of uses within Sudbury town centre which will support the viability and attractiveness of the centre.
- STNP 2 sets design criteria for the continuation of public realm works.
- STNP 3 sets design criteria for shopfronts within the Plan area.
- STNP 4 seeks to protect open spaces and allow the reuse or redevelopment of buildings within Butlers Green and Barham Park, for uses which support the function of the green space.
- STNP 5 sets priorities for spending Neighbourhood CIL, including public realm improvements.
- STNP 6 identifies uses which will be appropriate in Sudbury town centre and support development that strengthens Vale Farm as a regional centre for sports excellence, whilst preserving open space.

3.4 In addition items that the community are seeking, but that cannot be delivered through planning policy are identified as aspirations.

Examination

3.5 Brent Council in consultation with the Forum, appointed an independent examiner Paul McCreery, B.SC, M.Phil, FRTPI, to review whether the Plan met the basic conditions required by legislation and should proceed to referendum. The examiner’s report concludes that, subject to making the modifications recommended in his report, the Plan meets the basic conditions set out in legislation and should proceed to a neighbourhood planning referendum. The examiner’s report recommends that the area for the referendum should be based on the neighbourhood plan area.

3.6 In his report the examiner concluded ‘*The Plan is a highly commendable document that will help to guide growth and sustainable development. It is a credit to all those who have worked hard to produce such a readable and well-presented Plan. The Plan’s real strength is in its articulation of the concerns and aspirations of the local community, by reflecting the results and outcomes of a very extensive engagement process. Where there has been some lack of clarity, it has been possible to recommend modifications.*’

3.7 The modifications are set out in full in the examiner’s report which is provided as a background document. In summary, they include:

- The Plan should have an OS based policies map;
- Each Policy should be identified by a name rather than a number and each policy should deal with only one single policy issue;

- A new policy should be created to list the identified areas of Local Green Space, with reference to the OS based policies map, and contain an appropriate policy basis for their long term protection;
- Definition of main town centre uses should be added to policy STNP 6;
- Reference to other appropriate good practice guidance should be added to policies STNP 2 and STNP 3 to broaden scope of good practice guidance which may be used.

3.8 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what actions it takes in response to the recommendations of an examiner, and as soon as possible after making a decision publish a 'decision statement'. Having considered each of the recommendations made by the examiner's report, and the reason for them, officers recommend the modifications be agreed. These changes are considered to be necessary to ensure that the draft Plan meet basic conditions. They are for clarity and are considered to improve the usability of the document. The modifications make no significant changes to the policy and strategy. This report will form the Council's decision statement and be publicised in accordance with the requirements of the Neighbourhood Planning Regulations.

Referendum

- 3.9 Approval is sought for the Plan to progress to referendum. A person is entitled to vote if at the time of referendum, they live in the neighbourhood area and meet the eligibility criteria to vote in a local election. If the majority of those who vote in a referendum are in favour of the Plan then the Plan is made (brought into legal force) by the local planning authority. The only circumstance where the local planning authority is not required to make the Plan is where it would breach, or otherwise be incompatible with, EU or human rights obligations. The Sudbury Town Neighbourhood Plan is compatible with EU and human rights obligations, as confirmed in the examiner's report, therefore it is recommended subject to the majority of those voting in the referendum supporting the Plan, the Plan is made (adopted) by the Council.
- 3.10 Once the Plan is adopted it will form part of Brent's Local Plan and will be a material consideration in determining planning applications in the neighbourhood area. The aspirations identified in the Plan are to be taken forward by the forum.

4.0 Financial Implications

- 4.1 The expenditure for this project is grant funded by the DCLG. The Council was awarded £10,000 to support the preparation of the Plan and a further £20,000 will be paid by the DCLG now that the Plan has successfully undergone examination.
- 4.2 This is towards the cost of examination and referendum. The examination was undertaken at a cost of £4,500, leaving £25,500 for the referendum of the £30,000 awarded. The budget is managed by the policy and projects team within Planning and Regeneration.

5.0 Legal Implications

- 5.1 There is a duty upon the Council to provide support and advice to communities wishing to bring forward a neighbourhood plan under the Neighbourhood Planning

(General) Regulations 2012. Under part 18 of the Regulations as soon as possible after making a decision, the local planning authority must publish the decision they have made in relation to the examiner's report and their reason for it (the decision statement). This report forms the decision statement.

6.0 Diversity Implications

6.1 There is a requirement for the Council to ensure that, in granting neighbourhood forum and neighbourhood area status, those applying are representative of the area covered. Sudbury Town Neighbourhood Forum satisfied this requirement.

7.0 Staffing/Accommodation Implications

7.1 Staff resources will be diverted from other plan making projects to provide support and advice.

8.0 Environmental Implications

8.1 A Strategic Environmental Assessment (SEA) Screening Opinion was produced in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and concluded the Plan is unlikely to have significant environmental effects. The Basic Conditions statement outlines how the Plan will contribute to sustainable development.

9.0 Background Papers

Sudbury Town Neighbourhood Plan, Final, June 2015

Sudbury Town Neighbourhood Plan: Basic Conditions Statement, July 2014

Sudbury Town Neighbourhood Plan: Consultation Statement, July 2014

Sudbury Town Neighbourhood Plan: Report of Examination, 13 May 2015

Contact Officers

Any person wishing to inspect the above papers should contact Claire Jones, Policy & Projects, 020 8937 5301

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