



**Cabinet**  
13 October 2014

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

Wards affected:  
Sudbury

**Sudbury Town Neighbourhood Plan**

**1.0 Summary**

- 1.1 This report provides an overview of the process which Sudbury Town Residents Association has followed to date in producing the draft Sudbury Town Neighbourhood Plan, and a summary of its content. It recommends that the draft Plan be published on 23 October 2014 and made available for comment for 6 weeks. It is also recommended that it be submitted for examination subject to Full Council approval.

**2.0 Recommendations**

- 2.1 That the draft Sudbury Town Neighbourhood Plan be agreed for publication and public consultation from 23 October 2014 for 6 weeks, and that Cabinet recommend that Full Council agree that the draft Plan be submitted for independent Examination.
- 2.2 That the Head of Planning be given delegated authority to deal with any representations received during the statutory consultation period.

**3.0 Detail**

- 3.1 Neighbourhood Planning was introduced through the Localism Act 2011 ("The Act") and is one of the central elements of the Localism process. Section 116 of the Act and Schedules 9, 10 and 11 provide the legislative framework for neighbourhood planning. Essentially it enables communities to develop planning policies (otherwise known as 'Neighbourhood Development Plans' within the meaning of Part 2 Schedule 9 of the Act as inserted by section 38A of the Planning and Compulsory Purchase Act 2004 but for the purposes of this report shall be cited as "The Neighbourhood Plan") that will become part of the planning framework for their area. Neighbourhood planning is delivered by 'neighbourhood forums' for their 'neighbourhood area'. Neighbourhood forums and areas need to be agreed by local authorities, following local publicity requirements.
- 3.2 In 2011 Sudbury Town Residents' Association successfully applied for £22,000 'frontrunner' money which they used to engage consultants (SKM Colin Buchanan) to

produce an Issues Paper for the area. In August 2012, the Association applied to become a neighbourhood forum and to have Sudbury Town designated as a neighbourhood area. In accordance with Parts 2 and 3 of the Neighbourhood Planning (General) Regulations 2012 ('The Regulations' – in force 6 April 2012), the Council publicised the applications for a 6 week consultation period ending on 19 October 2012. No representations were received. On 12 December 2012 the Council approved the designation of Sudbury Town Neighbourhood Forum and Neighbourhood Area.

- 3.3 The forum undertook a series of consultation events and exercises between May 2012 and March 2014, as outlined in their Consultation Statement. 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.
- 3.4 The vision of the Neighbourhood Plan is 'to create a greener, cleaner, safer Sudbury Town Centre, with a High Street to match, and 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.
- 3.5 In addition, items that the community are seeking, but that cannot be delivered through planning policy are identified as aspirations.
- 3.6 The Council's role has been to provide the forum with guidance in meeting the statutory requirements and following the correct process in producing a Neighbourhood Plan. The Council is required to perform this role keeping within the spirit of the Act and associated regulations. The Council considers these policies to be consistent with Brent's strategic policies, regional and national policy, however, this is to be determined by an independent examiner.

### **Procedural Steps**

- 3.7 A flow diagram summarising the process followed to date and the next steps to be undertaken is included in appendix A. For clarity, any reference to 'LPA support' or 'Brent support' in the flow chart or the draft neighbourhood plan refers to support provided to the forum in meeting statutory and procedural requirements. Following the

formal submission of the Sudbury Neighbourhood Plan and supporting documents, the Council has assessed the Plan against the relevant statutory requirements. The Council is therefore satisfied that the Neighbourhood Plan and process followed in respect of that complies with the statutory requirements as more particularly detailed in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

- 3.8 To allow the Neighbourhood Plan to progress, approval is sought to publicise the Plan for a 6 week period in accordance with Regulation 16. The Council must publicise details of the plan on its website and in the local press, as well as make it available for inspection at its offices to ensure that people who live, work and carry on business in the neighbourhood area are able to view it and make representations accordingly. Following this period the Council, with agreement from the forum, must select and appoint an independent examiner to Examine the Plan.
- 3.9 Subject to the examiner concluding that the Plan meets the basic conditions it will undergo a referendum. The Council must have regard to the requirements of the Neighbourhood Planning (Referendums) (Amendment) Regulations 2013 when delivering this process. 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 more than 50% of people voting in the referendum are in favour of the Plan then the Plan is made (given legal effect) 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, European or Human Rights obligations.
- 3.10 Once the Neighbourhood Plan is adopted it will form part of Brent's Local Plan and the six planning policies referred to at paragraph 3.4 above will be considered as material considerations 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 entirely grant funded by the DCLG. The Council is committed to provide officer time only. The Council was awarded £10,000 to support the preparation of the Plan. This money has been received from the DCLG and spent. A further payment of £5,000 is made when the Plan is publicised prior to Examination, application for this sum will be made to the DCLG in October 2014 for reimbursement. A further £20,000 will be paid by the DCLG on successful completion of an Examination into the Plan. This is towards the cost of Examination and referendum. The budget is managed by the policy team within Planning and Regeneration.

#### **5.0 Legal Implications**

- 5.1 Contained within the body of this report

#### **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 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, Draft Final, July 2014

Sudbury Town Neighbourhood Plan: Basic Conditions Statement, July 2014

Sudbury Town Neighbourhood Plan: Consultation Statement, July 2014

<http://brent.gov.uk/services-for-residents/planning-and-building-control/planning-policy/neighbourhood-planning/sudbury-town-residents-association/>

### **Contact Officers**

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

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## Appendix A: Flow Diagram summarising the Neighbourhood Planning process

