

RESPONSE TO STONELEIGH AND AURIOL NEIGHBOURHOOD PLAN (REGULATION 14) CONSULTATION

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Wards affected:	Auriol Ward; Stoneleigh Ward;
Urgent Decision?	No
Appendices (attached):	Appendix 1 –Draft Stoneleigh and Auriol Neighbourhood Plan (Regulation 14). Appendix 2 – Summary of Basic Conditions. Appendix 3 – Epsom and Ewell Response to Regulation 14 Neighbourhood Plan.

Summary

This report considers the Council's response to the Draft Stoneleigh and Auriol Neighbourhood Plan that was published for consultation between 9 September 2024 and 27 October 2024 under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.

The Draft Neighbourhood Plan has been prepared by the Stoneleigh and Auriol Neighbourhood Forum and the Council is a statutory consultee. Once formally 'made', a neighbourhood plan becomes part of the boroughs statutory development plan and will therefore be used in the determination planning applications in the Stoneleigh and Auriol Neighbourhood Forum Area.

Recommendation (s)

The Committee is asked to:

- (1) Approve the Councils response to the Draft Stoneleigh and Auriol Neighbourhood Plan set out in Appendix 3 that is currently subject to public consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.**

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1 Reason for Recommendation

- 1.1 The Council is a Statutory Consultee on Neighbourhood Plans and this stage is our main opportunity to make comments on the plan in its pre-submission form. It is important that we identify potential issues with conformity with the Council's Development Plan and ensure that the policies will be effective when determining planning applications.

2 Background

- 2.1 Stoneleigh and Auriol Neighbourhood Forum has been working to prepare a neighbourhood plan for several years. Neighbourhood plans are required to be in general conformity with strategic policies in the Borough's adopted Local Plan. Once formally 'made', they become part of the statutory land use development plan with equivalent weight and legal status as the Epsom and Ewell Local Plan.
- 2.2 The Council has a statutory duty to provide advice and assistance to Neighbourhood Forums that are preparing a neighbourhood plan. Planning officers have had regular contact with Stoneleigh and Auriol Neighbourhood Forum and have provided comments and planning advice throughout the preparation of the draft Neighbourhood Plan, via meetings and email correspondence. Officers recognise and support the hard work that has gone into preparing the draft neighbourhood plan.
- 2.3 There are nine key steps to producing a neighbourhood plan which are detailed below. The Stoneleigh and Auriol Neighbourhood Plan is currently at Step 4:
- Step 1 - Designating a neighbourhood area
 - Step 2 - Designating a neighbourhood forum
 - Step 3 - Preparing a draft neighbourhood plan - evidence gathering and public engagement.
 - Step 4 - Pre-Submission publicity and consultation
 - Step 5 - Submission of a neighbourhood plan to the Council as the local planning authority
 - Step 6 - Independent Examination
 - Step 7 – Referendum
 - Step 8 - Bringing the neighbourhood plan into force
 - Step 9 – Monitoring and review

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- 2.4 The Neighbourhood Planning (General) Regulations 2012 set out a series of prescribed stages in the preparation of a neighbourhood plan. Regulation 14 requires that a Neighbourhood Forum should undertake public consultation on its draft plan for a period of at least 6 weeks.
- 2.5 This Regulation 14 stage provides the main opportunity for the Council as a statutory consultee, to make comments on the Neighbourhood Plan in its draft (pre-submission) form. The comments made are intended to help ensure that the draft plan is in general conformity with the adopted Epsom and Ewell Local Plan, is likely to meet the basic conditions tests and that the policies will be effective when determining planning applications.
- 2.6 Following the completion of the Regulation 14 consultation, the Stoneleigh and Auriol Neighbourhood Forum may make amendments to the draft Neighbourhood Plan. Planning officers will continue to assist the Forum and offer advice regarding any proposed changes.
- 2.7 The next stage will be for the Forum to submit their draft Neighbourhood Plan to the Council, this is Step 5 as set out above in paragraph 2.3.
- 2.8 The Council takes responsibility for the later stages of the neighbourhood plan process including the Regulation 16 consultation and submission of the draft Plan for independent examination. The appointed examiner will consider whether the Plan meets the 'basic conditions' (these are summarised for information in Appendix 2). Following receipt of the examiners' report, the council must then decide what action to take in response to the examiner's recommendations and decide whether the Plan should proceed to a local referendum.

Draft Neighbourhood Plan

- 2.9 The draft Stoneleigh and Auriol Neighbourhood Plan (attached as Appendix 1) contains 17 draft policies which are under 5 core themes, notably:
 - Housing
 - Retail, Commercial, Hospitality & Community / Cultural Facilities
 - Green Spaces and Biodiversity
 - Environmental Sustainability
 - Transport
- 2.10 The Neighbourhood Plan does not allocate any land for development and is supported by the Stoneleigh and Auriol Design Guidance and Codes.

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Summary of response comments

2.11 Officers have reviewed the Draft Neighbourhood Plan and provided detailed comments (attached as Appendix 3), which are summarised below:

- Recommend presenting some of the evidence base separately to the plan to reduce the plans length.
- Recommend rewording some policies and objectives.
- Recommend removing some policy requirements that duplicate or are not in full conformity with legal requirements (such as biodiversity net gain required by the environment act or standards required by the building regulations).
- Recommend updating policies on retail to reflect changes to the use classes order, specifically the Use Class E (commercial, business and service).
- Recommend having regard to planning consents that have been granted in the Neighbourhood Forum area which will impact some of the proposed designations.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None

3.2 Crime & Disorder

3.2.1 None

3.3 Safeguarding

3.3.1 None

3.4 Dependencies

3.4.1 None

3.5 Other

3.5.1 None

4 Financial Implications

4.1 There are no financial implications arising at this stage of the neighbourhood plan process.

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- 4.2 After completing the Regulation 14 consultation, the Neighbourhood Forum is required to submit the draft Neighbourhood Plan (including any amendments) to the Council, which will then be directly responsible for the later stages of the neighbourhood plan process including submitting the draft Plan for independent examination and organising a local referendum. The Council is entitled to funding from central Government to help support this and has a specific budget set aside for neighbourhood planning.
- 4.3 **Section 151 Officer's comments:** Any future costs for EEBC arising from a Stoneleigh and Auriol Neighbourhood Forum would have to be either externally funded from the central government support referenced above, or from existing resources.

5 Legal Implications

- 5.1 The Council as local planning authority is under a duty to give such advice or assistance to qualifying bodies preparing neighbourhood plans as, in all the circumstances, they consider appropriate for the purpose of, or in connection with, facilitating the making of proposals for neighbourhood plans within their area.
- 5.2 **Legal Officer's comments:** None other than as outlined in this report

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:**
- Encourage high quality design which balances the built environment with new open green spaces.
- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:**
- 6.4 **Sustainability Policy & Community Safety Implications:**
- 6.5 **Partnerships:** The response to this consultation will support the development of the Stoneleigh and Auriol Neighbourhood Plan.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Other papers:

- Stoneleigh and Auriol Design Guidance and Codes (July 2022). The document can be accessed from the following link:

<https://sanf.org.uk/neighbourhood-plan>