

# Fontmell Magna Parish Council

## Neighbourhood Plan Monitoring Group – Terms of Reference

### 1. Purpose

On 25th November 2018, the Fontmell Magna Neighbourhood Plan (**the Plan**) was made part of the local development plan for Fontmell Magna parish. The Plan needs to be monitored and it is important that future planning applications are considered in accordance with the policies agreed in the Plan. The Neighbourhood Plan Monitoring Group (**NPMG**), comprising persons familiar with the Plan, has been set up to assist the Parish Council with the following:

1.1. To consider all planning applications in respect of properties within the parish (including applications in respect of listed buildings but excluding applications in respect of tree works) and to submit a written report to the Parish Council giving grounds for supporting or objecting to each application, specifying where the application conflicts with policies of the Plan.

1.2. To undertake those actions assigned to the Parish Council in the Plan, including monitoring adherence and reviewing and recommending an update to the Plan when necessary (it is noted that the Parish Council has a duty to consider whether an update to the Plan is required every three years and that such an update must be agreed with the Planning Authority).

### 2. Membership

As the NPMG is the successor to the Neighbourhood Plan Working Group, its membership will initially consist of those members of the Neighbourhood Plan Working Group who wish to join it. These members will appoint a Chair and a Secretary and will invite other residents from the parish to join. At all times, the NPMG should consist of at least three (and a maximum of 12) residents from the parish, at least one of whom should be a Parish Councillor. All members of the NPMG should declare any conflicts of interest and be familiar with the Plan and the underlying planning framework. The NPMG will appoint a Chair and a Secretary on an annual basis (although they may be re-appointed), and may co-opt other members from time to time. The membership should be approved by the Parish Council and reviewed by the Parish Council at each Annual General Meeting. With the prior approval of the Parish Council, the NPMG may engage the services of an independent planning consultant.

### 3. Conduct and Frequency of Meetings

The work of the NPMG will primarily be conducted electronically (generally email). When the need arises, meetings may be convened on an informal basis; any meetings shall be subject to a quorum of three members, which must include at least one Parish Councillor. In the event of any disagreement, the Chair has a casting vote. Following the meeting, the Secretary will produce meeting notes setting out any actions agreed, circulate to the NPMG and the Parish Council, and keep a record.

### 4. Term

The NPMG's term will be reviewed at the Parish Council's Annual General Meeting, unless the Parish Council agrees to terminate the term earlier.

### 5. Record-keeping

The Secretary of the NPMG shall keep:

- a record of all meeting notes (including any actions agreed) of any meeting of the NPMG;
- a copy and record of all emails received from internal and external sources;
- a record of all expenditure, invoices and quotations incurred through the activities of the NPMG, together with evidence that these have been forwarded to the Clerk of the Parish Council; and
- a copy of all reports made by the NPMG to the Parish Council in respect of planning applications.

All records of the NPMG shall be available for inspection by the Parish Council at all times.

## **6. Role - Planning**

- 6.1. The NPMG will consider planning applications, as described in 1.1 above, in the parish of Fontmell Magna, whether in respect of new developments or alterations to properties (including listed buildings). It will also consider the impact on the Plan of any proposed changes to the infrastructure of the village and environmental improvement schemes.
- 6.2. The Parish Council is generally given around three weeks by the Planning Authority to support or object to a planning application. As soon as the Parish Council is notified of an application, it should be passed to the NPMG. The Chair of the NPMG will invite at least three members (which could include the Chair) to deal with the application, with one being responsible for collating responses and drafting a report. These members must investigate the application promptly and send their conclusions to the member responsible. Within 10 days of being notified of the application, the NPMG should send a written report to the Parish Council either supporting the application or objecting. If the latter, it should also give reasons quoting those parts of the Plan which it considers the application does not conform with. Before writing its report, the NPMG should:
  - study relevant plans and visit relevant sites before deciding whether to suggest comments or recommendations of support or objection; and
  - ensure that any of its objections or recommendations are based solely on planning criteria and are in line with the Plan.
- 6.3. The NPMG does not have any voting rights and therefore may not make any decisions on behalf of the Parish Council, but will prepare reports and recommendations, in writing (which may be electronic), for consideration by the Parish Council.
- 6.4. The NPMG will not consult residents or other parties in relation to the application.
- 6.5. The NPMG's report will be sent to the Parish Clerk electronically, and will:
  - quote the relevant policies of the Plan with which the application complies or otherwise;
  - name and be signed off by at least three members of the NPMG; and
  - in the event of a disagreement among members of the NPMG, state how many objected to the report's conclusions (and why) and whether the Chair used a casting vote.
- 6.6. It is not the role of the NPMG to act as a forum for members of the public to express views publicly supporting or opposing a planning application. This is the prerogative of the Parish Council, which makes the final decision on whether to support or object to a planning application and whose meetings are open to the public.
- 6.7. If a decision by the Planning Authority is to be made by a committee, the Parish Council decides whether or not to send a representative, and whether a member of the NPMG should attend.
- 6.8. If planning permission is refused, or is granted subject to conditions, the applicant may appeal to the Planning Inspectorate (an independent body). However, neither the Parish Council, the NPMG nor anyone else opposed to a planning application can appeal if planning permission is granted.

6.9. The Planning Authority is responsible for enforcement action. Neither the Parish Council nor the NPMG should be involved in such action, though the Parish Council can complain to the Planning Authority where it believes development is unauthorised.

## **7. Role – Neighbourhood Plan**

7.1 The Plan gives the Parish Council responsibility for monitoring adherence to the Plan over the period 2017-2031 and for reviewing and updating the Plan when necessary. The Plan commits the Parish Council to report each year in its Annual Report (to be available to all parish residents and published on the parish website) on how the Plan is working in relation to the following:

- Developments requiring planning permission, noting whether the planning decision is in line with the Plan's policies and the Parish Council's views;
- Unauthorised developments, and the action taken by the Planning Authority's enforcement team;
- Housing developments, in particular the number and type of houses built and whether these meet local housing needs;
- Planning applications that affect a protected community asset;
- Impact of developments, from the Highway Authority and local developers, on traffic management through the village and wider parish;
- Projects and changes made by environmental groups, such as Dorset Wildlife Trust and AONB, that may affect the local landscape and heritage of Fontmell Magna parish;
- Growth of businesses and employment in the parish;
- Progress on the four projects identified in the Plan. These are:
  - delivering traffic management solutions;
  - pressing for better broadband and mobile telecommunications;
  - business information (including promoting the area for tourism and hospitality and keeping a directory of local businesses and individuals able to provide local skills relevant to the area, and a register of sites and buildings available for business and employment use); and
  - reviewing and updating the Housing Needs Assessment.

7.2 In addition, the Plan states that the Parish Council will, every three years through the Plan period, review whether external factors (such as national planning policy and the strategic policies of Dorset's Local Plans) have changed and judge whether a Plan update is needed. The Plan commits the Parish Council to report on whether a formal update is needed in its Annual Report.

7.3 All the responsibilities in relation to the Plan outlined above (other than the projects relating to traffic management and broadband/mobile telecommunications) are delegated by the Parish Council to the NPMG, although the final decision on any actions identified rests with the Parish Council.