

## Planning & Development

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### **NOTIFICATION OF DECISION REGARDING THE APPLICATION FOR DESIGNATION OF A NEIGHBOURHOOD AREA UNDER SECTION 61G OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

#### **APPLICANT:**

Tenterden Parish (Town) Council

#### **APPLICATION:**

Application dated 21<sup>st</sup> December 2018 for the Designation of a Neighbourhood Area.

#### **DECISION:**

Under delegated authority stated in paragraph 15.1 of the Responsibility for Functions section of the Constitution, the Head of Planning and Development is authorised to determine such neighbourhood area applications. The Head of Planning and Development has delegated this to the Planning Policy Manager.

**The application is approved and the area of Tenterden Parish as shown on the plan attached is designated as a Neighbourhood Area under section 61G of the Town and Country Planning Act 1990 (as amended). The reasons for this decision are set out in the accompanying 'Neighbourhood Area Designation Application Report'.**

Signed:

**Simon Cole**  
**Head of Planning Policy**  
**Dated: 12<sup>th</sup> March 2019**



## **NEIGHBOURHOOD AREA DESIGNATION APPLICATION REPORT – OFFICERS DECISION ACTING UNDER DELEGATED POWERS**

### **DESIGNATION OF TENTERDEN NEIGHBOURHOOD AREA, TENTERDEN**

#### **Background**

1. Neighbourhood planning was introduced in the Localism Act 2011 and The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 prescribe the process that needs to take place to enable a Neighbourhood Plan to be produced and the procedures that need to be undertaken by the Local Planning Authority.
2. The first formal stage in the preparation of a Neighbourhood Plan is for an appropriate organisation to submit their proposed neighbourhood area to the local planning authority for designation as a Neighbourhood area. The Council then holds a public consultation on the application, and makes a decision on whether it is approved.
3. A Neighbourhood Plan is a planning document that covers a geographic area and sets out the vision for the area and contains policies for the development and use of land. Neighbourhood Plans must however be consistent with the adopted Local Plan.
4. The neighbourhood plan produced will also be subject to an independent examination into soundness, and if found to be sound, subject to a local referendum. If approved by the majority vote of the local community, the borough council must adopt the Neighbourhood Plan as part of the statutory development plan for that area and will be used in determining planning applications.

#### **The Tenterden Town Council Application**

5. The application from Tenterden Parish (Town) Council for neighbourhood area designation was received on 21<sup>st</sup> December 2018. The area requested is the area of Tenterden Parish, as shown on the map at Appendix 1.
6. Tenterden Town Council forms the 'relevant body' (for the purposes of section 61G (2) of the Town and Country Planning Act 1990) and submitted an application for the designation of the Tenterden Neighbourhood Area. The application is for the whole area of Tenterden, as shown on the map at Appendix 1 to be designated as a Neighbourhood Area for the purposes of Neighbourhood Planning and so satisfies section 61G(3) of the Act. The submission of the application complied with the regulations.

7. The regulations state that in determining this application, the council must have regard to (a) the desirability of designating the whole area of a Town Council as a neighbourhood area, and (b) the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas. It also must assess if the area should be designated as a business area.

## Public Consultation

8. In line with the requirements of the Regulations, the Borough Council published on its website the complete application for a neighbourhood area from Tenterden Parish (Town) Council, with a map and details of how to make comments in support or objecting to the application. This was held over a six week period between 10<sup>th</sup> January and 22<sup>nd</sup> February 2019 and was advertised on the council's dedicated Neighbourhood Planning webpage, linked to the consultation portal. Email notifications of the application were sent to the ward member, all neighbouring parish councils and the ward members for adjoining wards.
9. Hard copies of the application and Map were placed on notice boards in the parish, and copies were available in the Tenterden Gateway.
10. The Town Council deposited the consultation documents locally.
11. One response to the application was received from the High Weald AONB Unit which can be seen at Appendix 2.

## Conclusion

12. Taking into consideration the application and the comments received during consultation, along with the 2012 Neighbourhood Planning Regulations, this Neighbourhood Area Application is acceptable. Tenterden Neighbourhood Area is recommended for designation to the Head of Planning Policy.

## Decision

13. **The Designation of the Neighbourhood Area (as shown on Appendix 1) of this report is approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.**

## Next Steps

14. The Council will publish the name and map of the area on the Council's website on the neighbourhood planning page, where a map of all neighbourhood areas must be kept. Public notices will also be placed in Tenterden. Residents or people that work in the parish will also be notified in other ways by the Parish (Town) Council.

15. Tenterden Parish (Town) Council and/or a designated neighbourhood plan group will then commence formal consultation and preparation of their draft Neighbourhood Plan.



## Appendix 2 – Representation on Consultation

(Representation submitted by email to [simon.cole@ashford.gov.uk](mailto:simon.cole@ashford.gov.uk)) 10<sup>th</sup> January 2019 from the High Weald AONB Unit

Dear Sirs,

I note from the Ashford BC website that there is a current consultation on the area designation for the proposed Tenterden Neighbourhood Plan.

I have no objection to the proposed area designation but, since part of the area is within the AONB, I would ask that the AONB Unit be involved at an early stage in the preparation of the neighbourhood plan. Details of the support we can provide are on our website at <http://www.highweald.org/look-after/planning/neighbourhood-plans.html>