

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:

Pluckley Parish Council

APPLICATION:

Application dated 5th January 2015 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 parish of Pluckley 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:

A handwritten signature in black ink, appearing to read 'S. Cole', written on a light-colored rectangular background.

Simon Cole
Planning Policy Manager
Dated: 10th March 2015



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

DESIGNATION OF PLUCKLEY NEIGHBOURHOOD AREA

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 Pluckley Parish Application

5. The application from Pluckley Parish Council for neighbourhood area designation was received on 5th January. The area requested is the entire parish of Pluckley, as shown on the map at Appendix 1.
6. Pluckley Parish 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 Pluckley Neighbourhood Area. The application is for the whole area of Pluckley Parish 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 Parish 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 Pluckley Parish 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 Monday 19th January and Monday 2nd March 2015 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 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 Ashford Gateway.
10. The application was featured as a news item on the council's website and was featured in the Kentish Express on 22nd January. Pluckley PC have also contacted residents to inform them of the consultation and placed an advert on their own website.
11. 5 Responses to the application were received. 4 in support and 1 that raised issues relating to being consulted on proposed building heights, which would be a matter for the neighbourhood plan itself. The full responses can be seen at Appendix 2.

Conclusion

12. The application states that the whole parish is appropriate as there is no reason to alter the existing parish boundary. The Council agrees with this statement. The specified area falls completely within the Council's area.
13. The proposed area is adjacent to the already designated Bethersden Neighbourhood Area but will have no impact on this area boundary as there are no immediate cross boundary issues.
14. Pluckley is not wholly or predominantly business in nature, and therefore it is inappropriate to designate as a business area.
15. Taking into consideration the application and the comments received during consultation, along with the 2012 Neighbourhood Planning Regulations, this Neighbourhood Area Application is acceptable. Pluckley Neighbourhood Area is recommended for designation to the Planning Policy Manager.

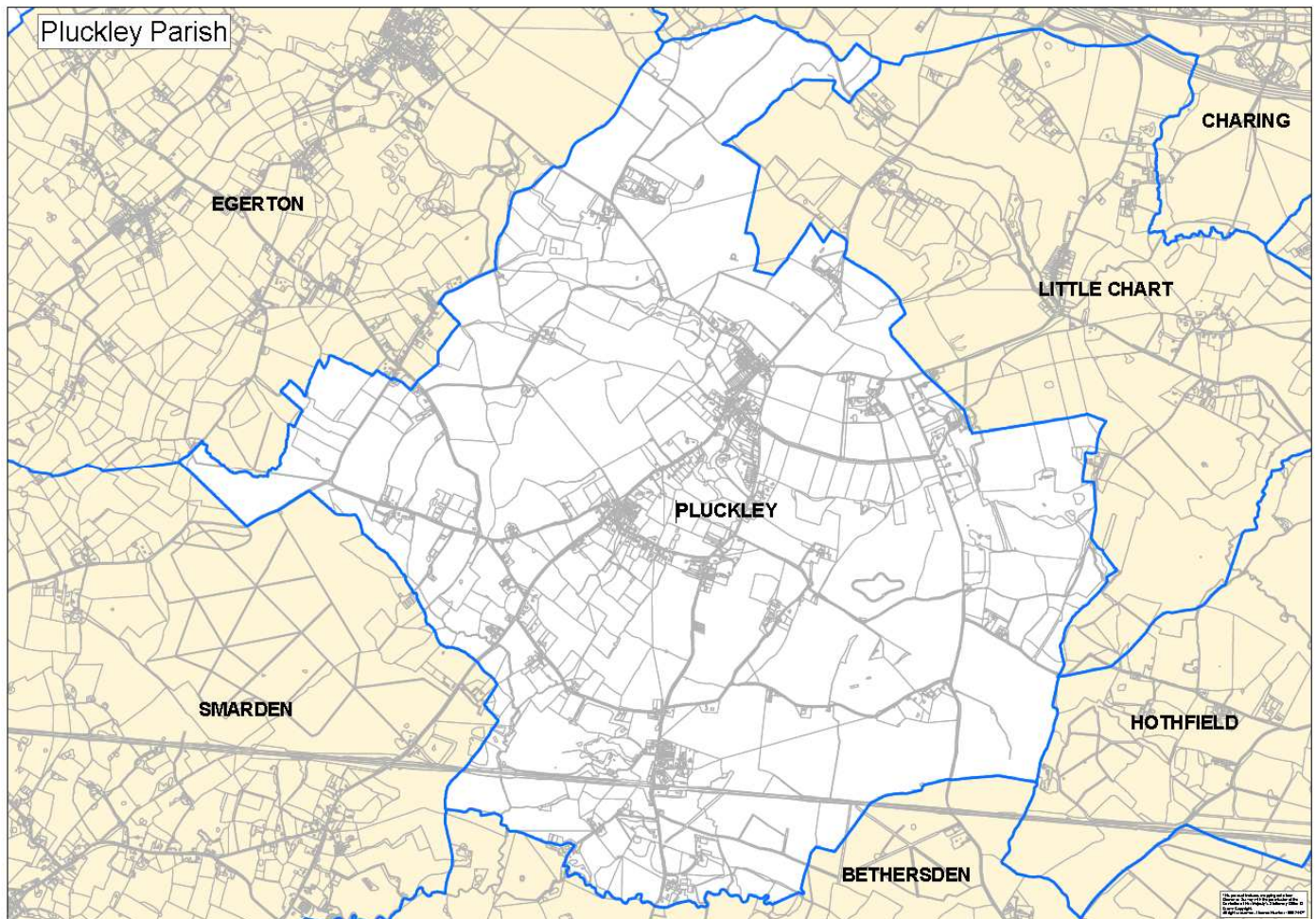
Decision

- 16. The Designation of the Pluckley 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

17. 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 the parish. Residents or people that work in the parish will also be notified in other ways by the Parish Council.
18. Pluckley PC and/or a designated neighbourhood plan group will then commence formal consultation and preparation of their draft Neighbourhood Plan. Grants of up to £5000 can be applied for by the local authority once a neighbourhood area has been designated, to assist with the preparation.

Appendix 1 – Neighbourhood Area Boundary Map



Appendix 2 – Representations on Consultation

Mason Brannan Design Partnership		Strongly support this proposal and hope that there will be an opportunity to relate it to the Bethersden Plan that is nearing completion
		I support the application
		Support
		I support this application.
Defence Infrastructure Organisation	Assistant Safeguarding Officer - Statutory & Offshore, DIO Safeguarding	Thank you for consulting the Ministry of Defence in relation to the above referenced consultation. On reviewing the site boundary for the proposed Pluckley Neighbourhood Plan, I can confirm the Statutory Meteorological safeguarding zone for Thurnham surrounds the borough of Ashford. Therefore, we are interested in development of height which may infringe or inhibit the operational capability of the radar. In relation to Pluckley, this area falls within the 45.7m height consultation zone, therefore any development which exceeds this criterion should be referred to this office for review. Therefore, we have no comments at present except to register our interests in the identified area.