

**Agenda Item No:** 17  
**Report To:** CABINET  
**Date:** 13<sup>TH</sup> February 2014



**Report Title:** **Application for the designation of a Neighbourhood Area for Bethersden Parish.**

**Portfolio Holder:** Cllr Robey  
**Report Author:** Danielle Dunn, Policy Planner

**Summary:** Neighbourhood planning was introduced through the Localism Act 2011, and enables local communities to shape development and growth in their area through the production of a neighbourhood development plan. Before they can do this, they must apply to be a Neighbourhood Area.

In December 2013 Ashford Borough Council received an application from Bethersden Parish Council for the designation of a Neighbourhood Area. The area requested to be designated is the entire Parish of Bethersden. The Application and map of the area was open for public consultation for 6 weeks from Friday 13th December until 5pm on Friday 24th January 2014.

This report provides information about the neighbourhood planning process, the responses to the Bethersden Parish Neighbourhood Area consultation and recommends to the Cabinet the designation of the Neighbourhood Area of Bethersden.

**Key Decision:** NO

**Affected Wards:** Weald Central

**Recommendations:** **The Cabinet be asked to:-**  
**i) Approve the application and designate the parish of Bethersden as shown edged blue on the plan at appendix 1 to this report as a Neighbourhood Area.**

**Policy Overview:** Neighbourhood planning was introduced by 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. A Neighbourhood Plan covers a geographic area and can be taken forward by town and parish councils or 'neighbourhood forums'. If approved, it becomes part of the statutory development plan for that area and will be used in determining planning applications. At

present there are two other Neighbourhood Areas approved in the borough; Wye and Hinxhill and Rolvenden.

**Financial Implications:**

If the Neighbourhood Area is approved, the council is legally required to provide support and advice in producing the Neighbourhood Plan, as well as holding the referendum and Examination in Public.

The Duty to Support does not require giving financial assistance, but grants can be applied for by the council if seen as appropriate and the Government has also announced that up to an additional £25k to cover the costs of the LPA's publication of the neighbourhood plan and any subsequent examination and referendum may be claimed in 2013/14 to assist getting a plan adopted.

**Risk Assessment**

YES

**Equalities Impact Assessment**

NO

**Other Material Implications:**

None

**Background Papers:**

None

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## **Report Title: Application for the designation of a Neighbourhood Area for Bethersden Parish.**

### **Purpose of the Report**

1. This report explains the process for approving Neighbourhood Planning Areas, explains the application submitted by Bethersden Parish Council and details the consultation undertaken on the neighbourhood area application.

### **Issue to be Decided**

2. The Cabinet is asked to agree the application for the designation of the Bethersden Neighbourhood Area. Designation would then allow Bethersden Parish Council to formally commence production of their Neighbourhood Plan.

### **Background**

3. Neighbourhood planning was introduced in the Localism Act 2011. The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 came into force on 6 April 2012 and 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.
4. 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.
5. 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 current adopted Local Plan (In this case the Core Strategy and Tenterden and Rural Sites DPD). They will also be subject to an independent examination into their 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. Due to the process undertaken these plans will hold far more weight than other local documents such as parish plans and village design statements.

### **The Bethersden Application**

6. The application from Bethersden Parish Council for neighbourhood area designation was received on 5<sup>th</sup> December 2013. The area requested is the entire parish of Bethersden, as shown on the map at Appendix 1.
7. Although work on a neighbourhood plan can only commence formally once the neighbourhood area has been designated by the local authority, initial

scoping work has already commenced on the Bethersden neighbourhood plan.

8. In determining the 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 a neighbourhood areas. In this case the application covers the whole parish boundary, and does not impact on the existing neighbourhood areas of Wye & Hinxhill and Rolvenden.
9. The borough council must also consider whether a proposed neighbourhood area should be considered as a business area as well. As the area in this instance is not wholly or predominantly business in nature, I do not consider that a business area designation would be possible. In any event, the PC have not asked for a business designation.

## **Consultation**

10. In line with the requirements of the Regulations, the borough council published the complete application for a neighbourhood area from Bethersden 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 Friday 13<sup>th</sup> December 2013 and Friday 24<sup>st</sup> January 2014 using the council's consultation portal.
11. Email notifications of the consultation were sent to all neighbouring parish councils (including those in different boroughs), ward members. Bethersden PC also sent out the details of the consultation to everyone on their village email database. The consultation was advertised on the council's dedicated Neighbourhood Planning webpage, it featured as a news item on the council's website and on Bethersden Parish Council's website, as well as being advertised in Bethersden's Parish Magazine. Hard copies of the application and map were placed on the main notice board in the village and in the local shop window. Finally, additional copies were made available in the Ashford and Tenterden Gateways.
12. One consultation response was received, which was countersigned by three households, it supported the Neighbourhood Area Application. See Appendix 2 to view the comment received.

## **Risk Assessment**

13. If the application for a neighbourhood area is approved, the planning authority is legally required to provide support and advice to the body producing the neighbourhood plan. Working with communities and parish councils is a necessary part of plan production but this is likely to take more staff resource than in previous Local Plans or parish plan/design statement exercises. However, there are no particular local issues in Bethersden that would require substantial assistance from the department to resolve.

## **Implications Assessment**

14. The planning department will need to maintain an appropriate level of input into the preparation of the Neighbourhood Plan. This will include applying for funding, attending consultation events, and potentially hosting the Examination in Public and referendum.
15. Grants of up to £5000 can be applied for by the council once a neighbourhood area has been designated and the Government has also announced that up to an additional £25k to cover the costs of the LPA's publication of the neighbourhood plan and any subsequent examination and referendum may be claimed in 2013/14 to assist getting a plan adopted.
16. The resource implications could be significant on staff time, but the CLG grant funding would go some way to mitigating against this, and at present the amount of support that will be needed by the parish is unknown.

## **Handling / Next Steps**

17. If cabinet accepts the recommendation that the Bethersden Neighbourhood Area is designated, 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. Residents or people that work in the parish will also be notified in other ways by the PC through a newsletter/email and a community planning event to be held on the 15<sup>th</sup> February 2014.

## **Conclusion**

18. Taking into consideration the application and the supporting comments received on it, along with the 2012 Neighbourhood Planning Regulations, this Neighbourhood Area Application is acceptable. The boundary is the whole Parish of Bethersden and therefore appropriate in planning terms, and there is no reason to advise a change to this request.
19. It is therefore recommended that the Cabinet approve this proposed designation of a neighbourhood area for the Parish of Bethersden, which will allow the Parish Council to take forward their neighbourhood plan.

## **Portfolio Holder's Views (Cllr Robey)**

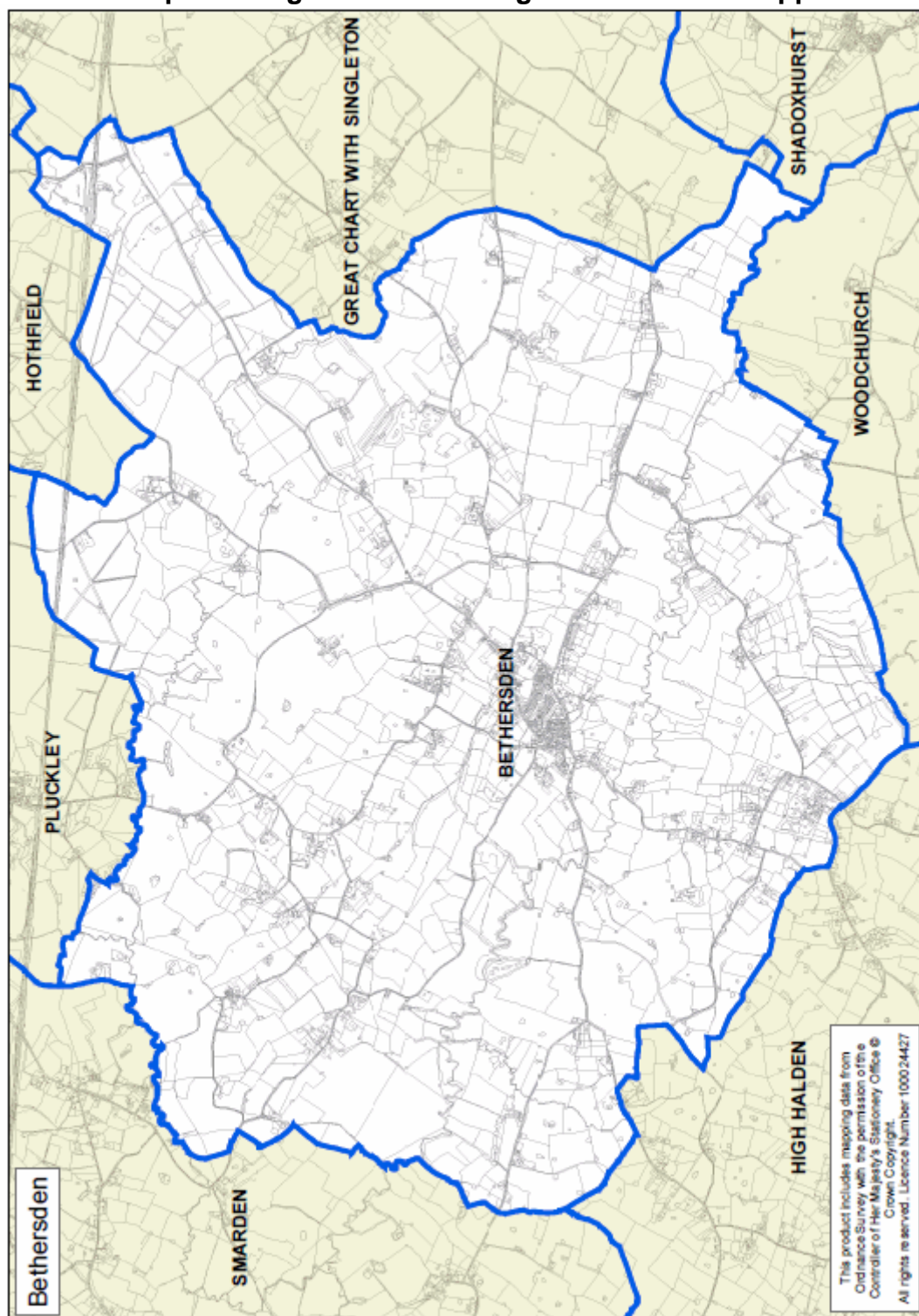
20. Following the consultation process, there have been no valid objections to the Bethersden Neighbourhood Area Application that has been received by Ashford Borough Council, and therefore the Parish should be so designated, as set out in the Neighbourhood Planning Regulations, which are part of the Localism Act 2011.
21. I support the idea that as many decisions as is practical and sensible, on future development, should be taken at a local level. However, the Planning Department of Ashford Borough Council already has an excellent record of working with local communities in preparing its Local Plan and LDF. It is

continuing to work closely with all Parish Councils in a constructive way, through the Plan-it process, and the Village Built Confines Pilot, which will feed in to the development of the Local Plan to 2030. How, precisely, a Neighbourhood Plan will contribute to this process remains to be seen, but I think that it is important to bear in mind the potential long term resourcing implications for the Planning Department, of continuing work on Neighbourhood Plans, on top of its existing workload. This issue will need to be monitored on an ongoing basis.

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## Appendix 1 – Map showing Bethersden Neighbourhood Area Application



## Appendix 2 – Response received to the Consultation

Comment 1:

“We, the residents named below, wish to record our support for the Bethersden Parish Council application for the development of a Neighbourhood Plan. We would wish to be kept informed and advised in writing of any local meetings and discussions relevant to the issue of development plans for Bethersden.”

Mr and Mrs Towle  
Trevor and Romi Jones  
Vivian and Eileen Conn