

Agenda Item No:

Report To: CABINET

Date: 11TH July 2013

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

Report Author: Carly Pettit, 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 April 2013 Ashford Borough Council received an application from Rolvenden Parish Council for the designation of a Neighbourhood Area. The area requested to be designated is the entire Parish of Rolvenden. The Application and map of the area was open for public consultation for 6 weeks from Friday 10th May until 5pm on Friday 21st June 2013.

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

Key Decision: NO

Affected Wards: Rolvenden and Tenterden West

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

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 is one other Neighbourhood Area approved in the borough; Wye and Hinxhill.

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 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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Purpose of the Report

1. This report explains the process for approving Neighbourhood Planning Areas, explains the application submitted by Rolvenden 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 Rolvenden Neighbourhood Area. Designation would then allow Rolvenden 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 Rolvenden Application

6. The application from Rolvenden Parish Council for neighbourhood area designation was received on 24th April 2013. The area requested is the entire parish of Rolvenden, 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, work has

already commenced on the draft Rolvenden neighbourhood plan. Rolvenden has previously held Community Led Planning Workshops that fed into the production of the current Rolvenden Parish Plan (2012). Results from this this will be used along with reference to a recent Historical Survey that was undertaken by Oldakre Associates. This is a study of the early form and settlement in the High Weald. The resulting draft neighbourhood plan and policies will be subject to further public consultation in the form of parish council and neighbourhood development meetings. These meetings will be publicised in the parish newsletter and on notice boards/websites, as well as by email.

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 the only other neighbourhood area is Wye & Hinxhill, so will have no impact on each other.
9. The borough council must also consider whether a proposed neighbourhood area should be considered as a business area as well. The Rolvenden area is not a predominant area for business and the PC have not asked for a business designation so in these circumstances it is not considered possible.

Consultation

10. In line with the requirements of the Regulations, the borough council published on its website the complete application for a neighbourhood area from Rolvenden 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 10th May and Friday 21st June 2013 and was advertised on the council's dedicated Neighbourhood Planning webpage, linked to the consultation portal. The application was featured as a news item on the council's website and Rolvenden PC website, as well as being advertised in Rolvenden's Parish Magazine.
11. Hard copies of the application and Map were placed on the three main notice boards in the village, the local shop and village hall, and copies were available in the Tenterden Gateway. Email notifications of the application were sent to all neighbouring parish councils (including those in different boroughs), the ward members, Tenterden Town Council and Tunbridge Wells Borough Council. Rolvenden PC also sent out the information to everyone on their village email system.
12. Three representations were received on the application. Two in support of the application as they think that local determination of development is a good idea and Rolvenden PC should be able to make decisions affecting the parish. The other response expressed concerns. The representations are summarised in Appendix 2.

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 Rolvenden 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 agrees that the Rolvenden 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. Rolvenden PC and their neighbourhood plan steering group will then start consultation and preparation of their draft Neighbourhood Plan.

Conclusion

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

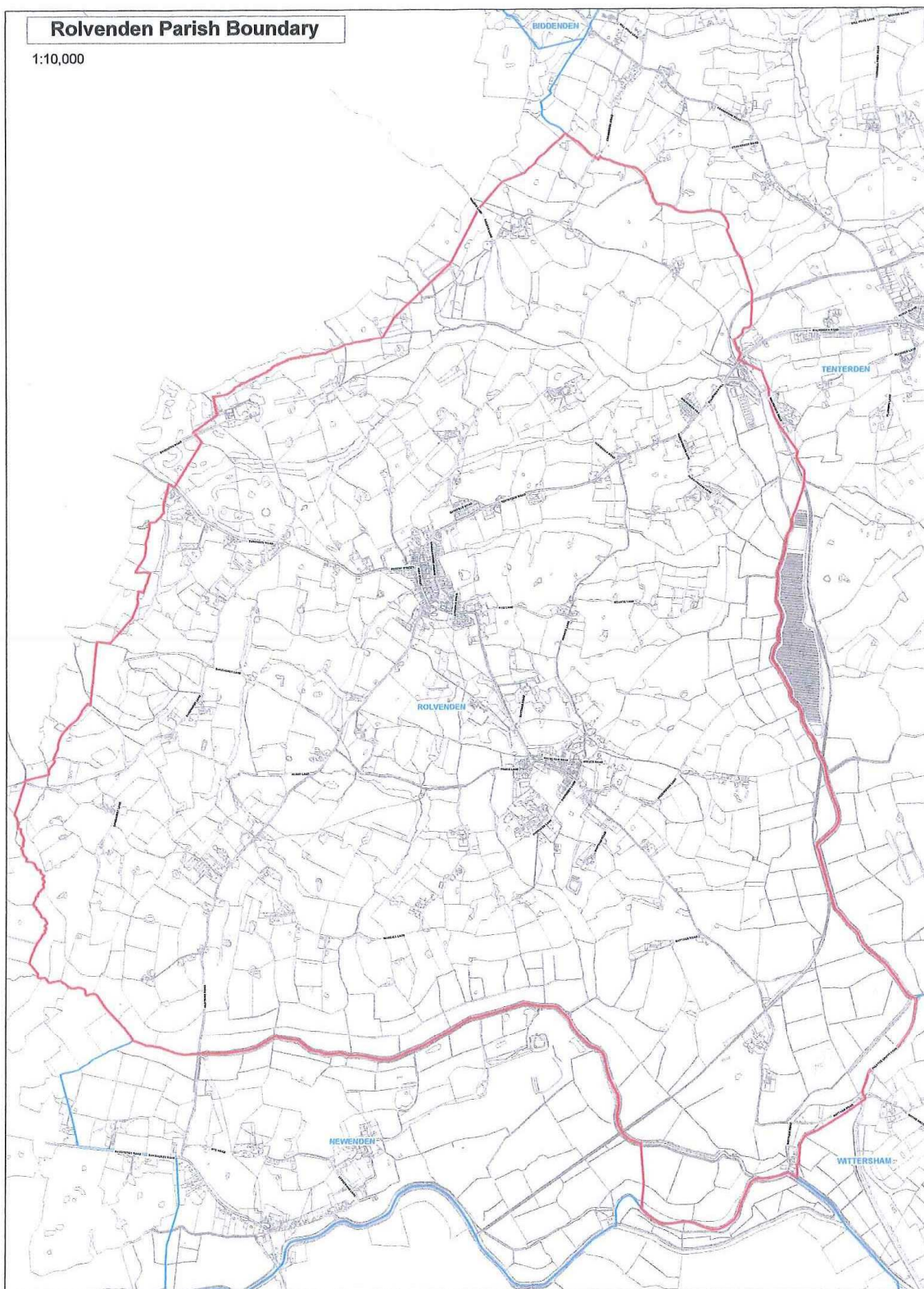
Portfolio Holder's Views (Cllr Robey)

20. Following the consultation process, and having considered the comments that have been received on the Rolvenden Neighbourhood Area Application, I consider that 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 – Neighbourhood Area Map



Appendix 2 – Responses received to the Consultation

Stephen Collins	I have concerns. I think the ultimate decision on planning applications should remain with Ashford Borough Council and not local people who could be manipulated by influences other than the residents.
John Hunt	local determination of development is a good idea. I support the application.
Tessa Hatts	I support this application. Rolvenden Parish Council needs to be able to make decisions about Rolvenden.

Comment: Having a neighbourhood area would not result in the parish council deciding planning applications. The borough council would continue to decide all applications.