

**Agenda Item No:**

**Report To: CABINET**

**Date: 12<sup>th</sup> June 2014**

**Report Title: Application for the designation of a Neighbourhood Area for Boughton Aluph and Eastwell Parish Council.**

**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.

On 10<sup>th</sup> March Ashford Borough Council received an application from Boughton Aluph and Eastwell Parish Council for the designation of a Neighbourhood Area. The area requested to be designated is the entire Parishes of Boughton Aluph and Eastwell. The Application and map of the area was open for public consultation for 6 weeks from Monday 24<sup>th</sup> March to Friday 2<sup>nd</sup> May.

This report provides information about the neighbourhood planning process, the detail of the application boundary and the responses to the consultation and recommends to the Cabinet the approval of the designation of the Neighbourhood Area of Boughton Aluph and Eastwell.

**Key Decision: NO**

**Affected Wards: Boughton Aluph and Eastwell**

**Recommendations: The Cabinet be asked to:-  
Approve the application to designate the Neighbourhood Area as identified on the plan at Appendix 1**

**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 three parishes in the borough that have been granted Neighbourhood Area Designation; Wye with Hinxhill, Rolvenden and Bethersden.

<b>Financial Implications:</b>	<p>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.</p> <p>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 to assist getting a plan adopted.</p>
<b>Risk Assessment</b>	Yes
<b>Equalities Impact Assessment</b>	No
<b>Other Material Implications:</b>	None
<b>Background Papers:</b>	None
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**Report Title: Application for the designation of a Neighbourhood Area for Boughton Aluph and Eastwell Parish.**

**Purpose of the Report**

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

**Issue to be Decided**

2. The Cabinet is asked to decide whether to grant the application for the designation of the parishes of Boughton Aluph and Eastwell as a Neighbourhood Area to enable the Parish Council to produce a 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 adopted Local Plan.
6. 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. 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 Boughton Aluph and Eastwell Application**

7. The application from Boughton Aluph and Eastwell Parish Council for neighbourhood area designation was received on 10<sup>th</sup> March. The area requested is the entire parishes of Boughton Aluph and Eastwell, as shown on the map at Appendix 1. The PC state in their application that this boundary is appropriate as it is a defined boundary already in place and governed by ABC.
8. 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 a neighbourhood areas.
9. 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 preparation of the Boughton Aluph and Eastwell neighbourhood plan. A neighbourhood plan committee has been created with members from the residents committee. They are producing a resident's questionnaire and reviewing the parish design statement. The Parish Council have also commissioned a traffic survey.

## **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 Boughton Aluph and Eastwell 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 24<sup>th</sup> March and Friday 2<sup>nd</sup> May 2014 and was advertised on the council's dedicated Neighbourhood Planning webpage, linked to the consultation portal. Email notifications of the application were sent to all neighbouring parish councils, community forums and the Members for adjoining wards.
11. Hard copies of the application and map were placed on notice boards in the parish, and copies were available in the Ashford Gateway.
12. The application was featured as a news item on the council's website and was featured in the Kentish Express on 28<sup>th</sup> March. Boughton Aluph and Eastwell PC have also contacted residents to inform them of the consultation and placed an advert on their own website.
13. Twenty two supporting representations from residents have been received on the application. A summary of these responses can be seen at Appendix 2.

## Implications Assessment

14. The proposed neighbourhood area includes the strategically important employment site at Eureka Park which does allow the neighbourhood plan to include policies for this area. The issue has been raised as to whether it would be appropriate for it to be included within the NA given that it is likely to be an important part of the Borough Council's planning strategy in the emerging Local Plan to 2030, and this has been discussed with the Parish Council and ward member.
15. However, as a Neighbourhood Plan is required to be consistent with the Local Plan that is being produced, allowing the Eureka site to remain within the NA would not prevent the Local Plan including suitable policies for Eureka Park, and it would not be possible for the neighbourhood plan to adopt a policy contrary to the Local Plan to 2030. Boughton Aluph and Eastwell Parish Council have stated that they wish to work alongside the Council to prepare plans for these areas. Therefore it is concluded that there is no risk involved in granting the designation, with the Eureka Park site included within it.
16. The borough council must also consider whether a proposed neighbourhood area should be considered as a business area as well. The area (with the exception of Eureka Park) is not a predominant area for business and the PC has not asked for a business designation so in these circumstances it is not considered necessary.
17. 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.
18. 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 to assist getting a plan adopted.
19. 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 council is unknown.

## Risk Assessment

20. When an 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 Boughton Aluph and Eastwell that would require substantial assistance from the department to resolve.

## Handling / Next Steps

21. If the Cabinet agrees that the Boughton Aluph and Eastwell Neighbourhood Area is designated as requested, 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 parishes. Residents or people that work in the parish will also be notified in other ways by the PC through a newsletter/email. Boughton Aluph and Eastwell PC and their neighbourhood plan group will then commence formal consultation and preparation of their draft Neighbourhood Plan.

## Conclusion

22. Taking into consideration the application and the comments received on it, along with the 2012 Neighbourhood Planning Regulations, this Neighbourhood Area Application is acceptable.

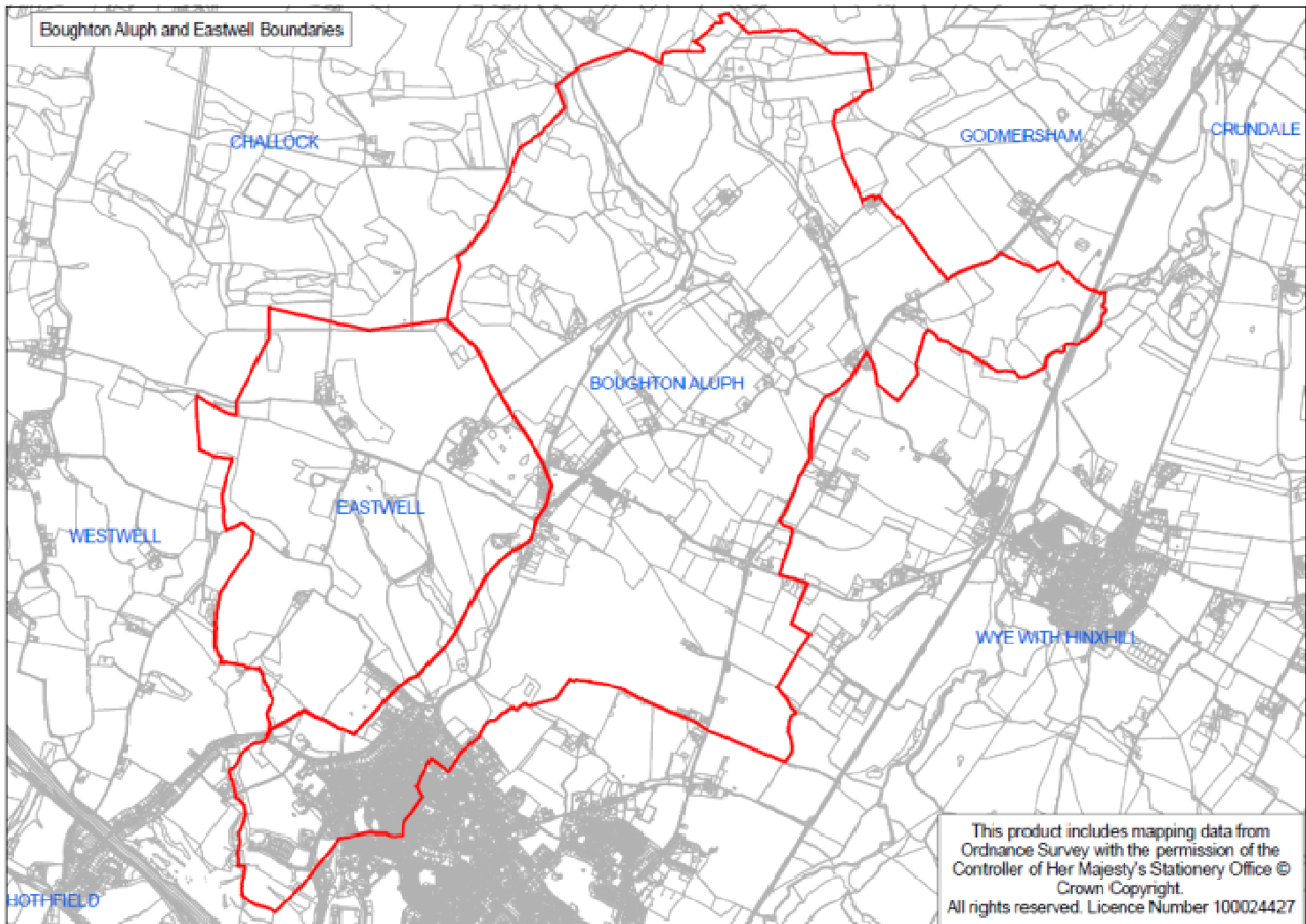
## Portfolio Holder's Views (Cllr Robey)

23. Following the consultation process, there have been no objections to the Boughton Aluph and Eastwell Neighbourhood Area Application that has been received by Ashford Borough Council, and therefore the Parishes should be so designated, as set out in the Neighbourhood Planning Regulations, which are part of the Localism Act 2011.
24. 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.
25. 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 (Parishes of Boughton Aluph and Eastwell)



## Appendix 2 – Summary of Representations

Elsbeth Watt	I wish to note my support for the application
Norma Devereese	I support this request
Gerard R Thuraishingham	All development must be sustainable and compatible with the needs and wishes of a local community. I support the creation of a Neighbourhood Development Plan.
carol bunker	I strongly support this application. It will provide a focus for thinking about the development of the Parish and its renewal and conservation.
Maxine Rumjahn	I am in support of Boughton Aluph & Eastwell becoming a neighbourhood area.
Thompson	Support so that local residents have more control over planning issues that directly affect them other than an apparent unaccountable Council
John Faulkner	Fully in favour of a Neighbourhood Plan which will cause the local community to become involved in the strategic plans for the area.
Tania Harrison	As a resident of Boughton Aluph I am supportive of this application hoping, it will ,in the future provide necessary input from the village in any planning decisions to be made.
Angus Fraser	I fully support the neighbourhood area designation request from Boughton Aluph & Eastwell PC and consider it a very important and timely initiative.
Maria Vincent	I hereby would like you to know that I support the application made by the Boughton Aluph & Eastwell Parish Council for the reasons given in their letter to ABC.
Alan Vaughan	I support the Boughton Aluph and Eastwell Parishes Neighbourhood Area Application
Pamela Vaughan	I strongly support the application for the Boughton Aluph and Eastwell Parishes Neighbourhood Area
Steven MacGregor	I fully support this application. With recent changes in legislation, more organisations like this need to exist to provide a full democratic process in the instances of planning development and to represent the interests of the residents of Ashford.
Robert Oliver	I, Robert Oliver, give my support to this neighbourhood area designate application because of the need to reflect the current views of the inhabitants and protect where necessary the rural areas from unsuitable and over development.
Fred Garner	I support the request for the establishment of a neighbourhood plan for Boughton Aluph and Eastwell. Involving the local community in establishing the framework of a Neighbourhood Plan is important for guiding the future development, regeneration and especially conservation of Boughton Aluph and Eastwell.
John Brooks	Dear Sir, As residents of the Parish, we support the Boughton Aluph and Eastwell Parish Council Neighbourhood Area Application and wish to register our votes here.
C Archer	Community involvement is essential in planning policy
Sally Ann Gillman	As a resident of the Parish I support the Boughton Aluph and Eastwell Parish Council Neighbourhood Area Application and wish to register my vote here
Nigel John Gillman	As a resident of the Parish I support the Boughton Aluph and Eastwell Parish Council Neighbourhood Area Application and wish to register my vote here Nigel Gillman
Matthew Girt	Support the application for neighbourhood area designation
Rita Hawes	I should like to support the designation of Neighbourhood being given to Boughton Aluph and Eastwell Parish Council so that a Neighbourhood Plan can be put together by local residents with the help of ABC.
Derek & Denyse Anthony	In summary we strongly support the Neighbourhood Area Application and the development of a Neighbourhood Plan to which we are ready to contribute. Please will you formally record our support for this initiative.