

Report To: Planning Committee
5 February 2015

By: Reiss Sadler, Planning Officer (Policy)

**Title: Drakes Broughton Parish Neighbourhood Area Application;
Eckington Parish Neighbourhood Area Application – consideration
of public consultation responses and approval to designate**

Ward Councillor/s

Cllr Middlebrough,
Drakes Broughton; Cllr
Davis, Eckington.

Background Papers: Drakes Broughton Neighbourhood Area Application; Eckington Neighbourhood Area Application; Wychavon Neighbourhood Planning Protocol; Town and Country Planning, The Neighbourhood Plan (General) Regulations 2012.

1. Summary

- 1.1. This report is asking the Planning Committee to consider the responses to the six-week public consultation undertaken as part of the designation of Drakes Broughton Neighbourhood Area and Eckington Neighbourhood Area. The above regulations require local authorities to publicise and publish a neighbourhood area application for public consultation, prior to formal designation. It is only following the successful completion of this stage that the parish councils can progress with the preparation of the neighbourhood plans.
- 1.2. The report sets out the steps taken to consult on the application, and provide details of the representations received.
- 1.3. Finally the report details the next stages in the process for the parish councils towards final adoption of the neighbourhood plans.

2. Recommendations

- 2.1. That the Planning Committee, having examined the Drakes Broughton Neighbourhood Area Application and Eckington Neighbourhood Area Application and the nature of the representations received, consider that it provides a 'sound' basis for developing the neighbourhood plans.
- 2.2. That the Planning Committee recommends to the Executive Board on 17 March 2015 that the Drakes Broughton Neighbourhood Area and Eckington Neighbourhood Area (as drawn in the maps accompanying the applications) are formally designated and subsequently publicised on the council's website.

3. Implications & Impact

3.1. Council Priorities and Community Plan Themes

3.2. Neighbourhood planning is one of the central elements of the 'Localism' process and the preparation and adoption of neighbourhood plans accords with the three Council Priorities for 2012-2016. Neighbourhood plans can play a valuable role in helping to deliver the Worcestershire Sustainable Community Plan themes, providing evidence for delivering its objectives and developing the themes for any subsequent review.

3.3. Resource Implications

- Financial implications – New neighbourhood planning funding was introduced by DCLG in May 2013 to support both local authorities and local communities prepare a plan. This amounts to £30,000 per neighbourhood plan to the local authority to cover the cost of supporting the process, paying for the examination and referendum. The council has decided to make a proportion of this funding available to communities (£8,000), which alongside the direct grant (£7,000) and practical support the government is making available to communities represents a significant amount of funding for the process. Further details on this are set out in the Wychavon Neighbourhood Planning protocol.
- Staffing implications - The Localism Act 2011 places a duty to support the preparation of neighbourhood plans on local authorities through officer advice and guidance, making evidence available and organising/paying for the examination and referendum. It is considered that this process can be met within existing staffing resources and budgets.
- Risks - As a statutory process failure to publish and consult on the neighbourhood area application runs the risk of the parish councils being unable to proceed with the neighbourhood plans. It is possible for a local authority not to approve the neighbourhood area, but it must show why the proposed area does not support the aim and objectives of the any eventual neighbourhood plan.
- Legal - It is a statutory requirement to support the preparation of neighbourhood plans and for the council to adopt, or 'make' them, if supported by the referendum. Failure to support the parish councils to prepare a neighbourhood plan would result in legal challenge with any subsequent consequences for the council.
- Property - Dependent on the eventual content of the neighbourhood plan there are potentially council landholding interests within the proposed neighbourhood area that may be directly or indirectly affected by the adoption of the neighbourhood plan.

3.4. Diversity Impact Assessment

Diversity Impact Assessments are a way of examining whether different communities or groups are adversely affected by a current

or proposed service, policy or project. It helps identify ways of reducing or eradicating any adverse impacts and with developing an action plan for minimising the impact of the service, policy or project. A Diversity Impact Assessment screening has been undertaken which shows that the subject matter of this report will not require an assessment.

4. Consultation on the Neighbourhood Area Applications

4.1. The applications comprised of three elements:

- a map which identifies the area to which the area application relates, in this instance the whole parish council boundary;
- a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
- a statement that the organisation or body making the area application is a relevant body for the purposes of the related legislation.

4.2. On receipt of the neighbourhood area applications, they were put out to public consultation which ran from 15 October 2014 to 26 November 2014.

4.3. The week prior to the consultation period relevant statutory consultees, neighbouring local authorities and parish/town councils, along with other interested parties received written notification via e-mail or letter of the six week consultation. Copies of the documentation and details of how and by when to make representations were put on the neighbourhood planning pages of the Wychavon website and hard copies of the same documentation placed in the customer contact centres across the district.

5. Designation of the Neighbourhood Areas

5.1. A total of seven representations were received to the Drakes Broughton Neighbourhood Area and Eckington Neighbourhood Area consultation – Highways Agency; Natural England; Network Rail; English Heritage; Environment Agency; Worcestershire County Council and Pershore Town Council . In summary the representations were simply acknowledging the process, providing sources of reference, and asking to be consulted on the draft Plan in due course. A summary of the representations is provided at Appendix 1.

5.2. The Act requires local authorities when determining applications “to have regard to the desirability of designating the whole area of a parish council as a neighbourhood area” (S61(G)(4)). The presumption is that local authorities will designate neighbourhood areas on existing parish and town council boundaries unless there is a valid planning reason not to do so. In this respect it is for this council to ensure that neighbourhood areas are coherent, consistent and appropriate. As well as taking on board any comments received during consultation other factors for the council to consider include:

- any natural or man-made features (e.g. rivers, roads, railways etc.);

- catchment areas for current or planned infrastructure;
- development proposals and allocations;
- environmental designations.

It is considered that there are no such 'anomalies' in respect to the neighbourhood areas under consideration.

6 Conclusion

- 6.1. The consultation generated a limited response, and those that did comment were generally statutory consultees. No issues were raised with respect to the designation or the delineation of the proposed neighbourhood areas. Neither are there any other factors, as identified above, that influence the neighbourhood area boundary.
- 6.2. Therefore it is recommended that the council approves the Drakes Broughton Neighbourhood Area and Eckington Neighbourhood Area as shown in the maps accompanying the neighbourhood area applications. Following approval the designation will be published on the council's website.