

# South Northamptonshire Council

## Planning Policy and Regeneration Committee

25 January 2017

### Designation of Nether Heyford and Pattishall Parish's as Neighbourhood Areas

#### Report of the Head of Strategic Planning and the Economy

This report is public

#### Purpose of report

To consider and approve the designation of both Nether Heyford and Pattishall Parishes as Neighbourhood Areas, for the purpose of producing Neighbourhood Plans.

#### 1.0 Recommendations

The meeting is recommended:

- 1.1 To confirm the designation of Nether Heyford Parish as a Neighbourhood Area.
- 1.2 To confirm the designation of Pattishall Parish as a Neighbourhood Area.

#### 2.0 Introduction

- 2.0 The 2011 Localism Act gave Town and Parish Councils the powers to prepare Neighbourhood Plans for their areas, and gave communities the opportunity to help to shape their local area. They are usually drawn up by Town or Parish Councils in Districts such as South Northamptonshire, which already have designated Parishes. Once adopted Neighbourhood Plans attain the same legal status as the Local Plan and carry full statutory weight as part of the Statutory Development Plan for that area, and due regard must be had when making decisions on planning applications.
- 2.1 The Neighbourhood Plan (General) Regulations came into force in April 2012 and set out the steps that Town and Parish Councils/ Neighbourhood Forums must complete in order to progress their Neighbourhood Plans. These have since been updated under the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016. However the first step is still to designate a Neighbourhood Area and to agree the area that the Neighbourhood Plan will cover.
- 2.2 In order to obtain approval of designation as a Neighbourhood Area, Parish Councils must submit their application to the Local Planning Authority, in this case South Northamptonshire Council, with the following information:

- a) A map which identifies the area to which the area application relates;
- b) A statement explaining why this area is considered appropriate to be designated as a neighbourhood area;
- c) A statement that the organisation or body making the application is a relevant body for the purposes of section 61G of the 1990 Act.

### **3.0 Updated Regulations**

- 3.1 The Neighbourhood Plan regulations have recently been updated as of 1<sup>st</sup> October 2016 under the 'Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2016)'. Previously the regulations required that Neighbourhood Area applications should go through a public consultation. The regulations required that the applications be publicised on the Council's website and 'in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business in the area to which the application relates'. The Council therefore previously ran a 4/6 week public consultations on the proposed areas.
- 3.2 However from the 1st October 2016, as set out in the 'Neighbourhood Planning Regulations 2012' 16 5A (3), where the *whole* of the existing parish boundary is being used, and being led by an existing Parish Council, Local Authorities no longer need to specifically consult people who live, work or carry out business in the area. The LPA must now designate the area and approve the application with no discretion to amend; however, this is only once we have received all of the information and consider the application to be valid and complete.
- 3.3 It is still also South Northamptonshire's Council current procedure that the boundaries come to this Committee for prior approval. It is also proposed that we still publicise the area on the Council's website and request that a notice is advertised on the parish notice board.
- 3.4 Neighbourhood groups such as Parish Councils, are also still required to consult the wider public and statutory consultees on the contents of their 'Draft Plan' and South Northamptonshire Council is still required to run a public consultation at the 'Submission' stage of the Neighbourhood Plan. So wider consultation will still take place on the drafted policies.

### **4.0 Area Applications**

- 4.1 Both Nether Heyford and Pattishall Parish Council have applied to this Council for designation of their parishes as Neighbourhood Areas. The entire parish boundaries have been used for both of the areas submitted, and they were both submitted by existing Parish Councils. Therefore as stated above, a public consultation is no longer required.
- 4.2 The Parish Councils have confirmed that the entire parish boundaries were included in both of the areas for the following reasons:

#### Nether Heyford

- i. The Parish is a long established, well recognised and clearly defined area, entirely within the remit of Nether Heyford Parish.

- ii. Within the Parish the vast majority of residents live in one nuclear settlement which has a clear physical and social identity.

### Pattishall

- i. The Parish is a long established, well recognised and clearly defined area.
- ii. The Parish Council is made up of three main villages, Pattishall, Eastcote and Astcote, with three further hamlets, part of Fosters Booth, Dalscote and Cornhill.

- 4.3 Both Parish Councils have also submitted statements stating that the organisation/body is a relevant body for the purposes of section 61G of the 1990 Act and is therefore qualified to undertake neighbourhood planning. Their reasoning is that the Parish Councils are democratically elected bodies representing the entire local communities within the Parish; and that they are also committed to ensuring that future planning decisions within the area reflect the community's wishes.

## **5.0 Conclusion and Reasons for Recommendations**

- 5.1 It is recommended that the two proposed Neighbourhood Areas are appropriate for both Nether Heyford and Pattishall Parish, as both use the whole of the existing parish boundaries. It is therefore recommended that the designation of both Nether Heyford and Pattishall as Neighbourhood Areas should be agreed.
- 5.2 Designation of a Neighbourhood Area is the first step in the preparation of a Neighbourhood Plan. Once Neighbourhood Areas are designated the next stage is for the Parish Councils to engage with their communities and prepare their Plans. The process requires at least one formal parish led 6 week consultation period on their draft Plans. Neighbourhood Plans must be generally in accordance with the Local Plan documents for the district and national planning policies. South Northamptonshire Council officers are assisting with this process in accordance with the 'duty of care and support' under the Neighbourhood Plan process. However the Localism Act makes it clear that Neighbourhood Plans should be led by Parish and Town Councils in consultation with their communities.
- 5.3 The draft Neighbourhood Plans will then be submitted by the Parish Councils to us at the District Council, and we will carry out a check to ensure that it has been prepared correctly. We will then initiate a further 6 week publication period on the Submission version of the plans. Following this we at the District Council will facilitate and fund an Independent Examination into the Plans and submit any representations received during the publication period. Providing that the Examiner recommends that the Neighbourhood Plans are taken forward, a local Referendum will then be called for which the District Council will be responsible for facilitating and funding. The Plans require the support of the majority of those who vote in the referendum.
- 5.4 If the referendum indicates community support, the Neighbourhood Plans will then normally be adopted or 'made' by the District Council, and becomes a part of the SNC's statutory Development Plan, against which relevant planning applications will be determined in that local area. The Council and other decision makers will then

be obliged by law, to take the Neighbourhood Plan into account when considering proposals in the relevant local neighbourhood.

## **6.0 Consultation**

None required.

## **7.0 Alternative Options and Reasons for Rejection**

- 7.1 The preparation of a Neighbourhood Plan is a decision of an individual Neighbourhood group. Under the updated '*Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2016)*' the Council is required to approve an application if it covers the whole of an existing Parish Council and is led by an existing Parish Council. The only discretion the Council has is if the application is considered incomplete. This is not the case.

## **8.0 Implications**

### **Financial and Resource Implications**

- 8.1 There are no financial or resource implications at this stage of the Neighbourhood Area designation, however in line with guidance as set out in paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended), the local authority must take key decisions in the neighbourhood planning process and provide advice or assistance to a parish neighbourhood area.

Comments checked by:

Paul Sutton, Chief Finance Officer, 0300 003 0106,

[Paul.sutton@southnorthants.gov.uk](mailto:Paul.sutton@southnorthants.gov.uk)

### **Legal Implications**

- 8.2 The legal implications are covered in the report, which make clear the legal status which the Neighbourhood Plans will be afforded in the event that they are eventually adopted and form part of the statutory Development Plan.

Comments checked by:

Preet Barard, Solicitor, 01295 221 980

[Preet.Barard@cherwellandsouthnorthants.gov.uk](mailto:Preet.Barard@cherwellandsouthnorthants.gov.uk)

## **9.0 Decision Information**

### **Wards Affected**

Heyfords and Bugbrooke

Blakesley and Cote

### **Links to Corporate Plan and Policy Framework**

To preserve what is special

To protect quality of life

**Lead Councillor**

Councillor Roger Clarke

Portfolio Holder for Planning and Environment

**Document Information**

<b>Appendix No</b>	<b>Title</b>
1	Application letter for Designation of Nether Heyford Parish as a Neighbourhood Area
2	Application letter for Designation of Pattishall Parish as a Neighbourhood Area
<b>Background Papers</b>	
None	
<b>Report Author</b>	Jennie Johnson, Planning Policy Officer
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## **Appendix 1 - Application Letter for Designation of Nether Heyford Parish as a Neighbourhood Area**

### **NETHER HEYFORD PARISH COUNCIL**

Clerk: G Ravine  
Old Diary Farm, Upper Stowe  
Weedon, Northampton, NN7 4SH  
[netherheyfordparishcouncil@gmail.com](mailto:netherheyfordparishcouncil@gmail.com) Tel: 01327 340410

### **NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 – Part 2 (5) DESIGNATION OF A NEIGHBOURHOOD AREA**

#### **APPLICATION BY NETHER HEYFORD PARISH COUNCIL**

##### Section 5 (1) (a) Application Area

The Parish of Nether Heyford as shown in the attached boundary map.

##### Section 5 (1) (b) Appropriate Area Statement

The entirety of the parish is considered to be the area most appropriate to be designated as a neighbourhood area for planning purposes, as it is a long established, recognised and a clearly defined area entirely within the remit of Nether Heyford Parish Council.

Within the parish the great majority of residents live in one nuclear settlement which has a clear physical and social identity.

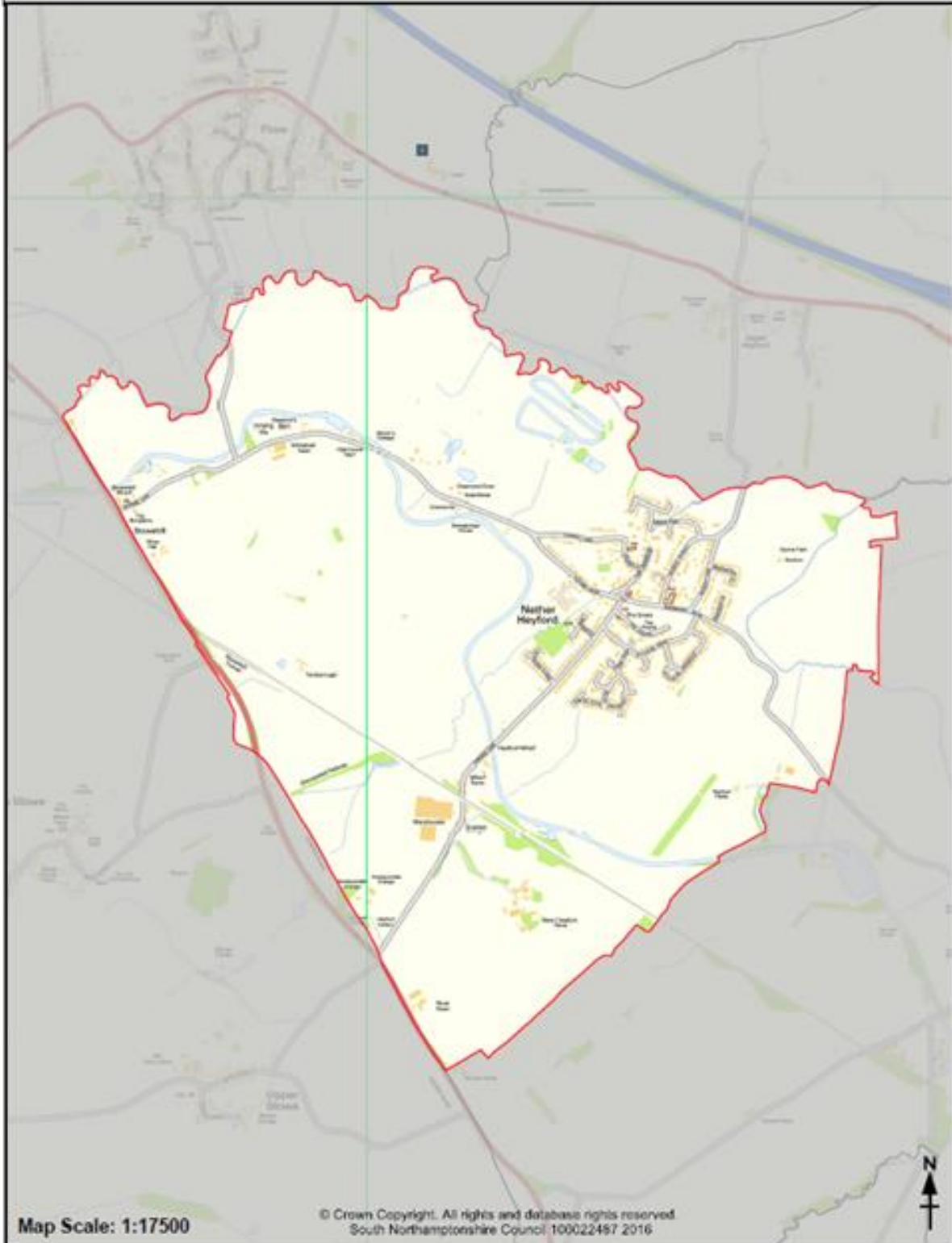
##### Section 5 (1) (c) Relevant Body Statement

Nether Heyford Parish Council meets the criteria of a relevant body for the purposes of Section 61G of the Town and Country Planning Act 1990 and is therefore qualified to undertake neighbourhood planning. The Parish Council is a democratically elected body representing the entire local community within the parish and is committed to ensuring that future planning decisions within the area reflect the community's wishes.

# Nether Heyford Neighbourhood Area Boundary



South  
Northamptonshire  
Council



Map Scale: 1:17500

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## **Appendix 2 – Application Letter for Designation of Pattishall Parish as a Neighbourhood Area**

PATTISHALL PARISH COUNCIL  
Website: [www.pattishallparish.org.uk](http://www.pattishallparish.org.uk)

Clerk - Mrs. Ann Addison, [REDACTED]  
[REDACTED]  
[REDACTED]

Mr A. Colwell,  
Head of Strategic Planning & the Economy,  
South Northants Council,  
The Forum,  
Moat Lane,  
TOWCESTER, NN12 6AD

Dear Mr Colwell,

Neighbourhood Planning (General) Regulations 2012  
Designation of a Neighbourhood Area, Pattishall Parish

Pattishall Parish Council wishes to make an application for designation of a Neighbourhood Area under section 61G of the Town & Country Planning Act 1990. The purpose of this application is to enable the Parish Council to undertake neighbourhood planning, and in particular to prepare a Neighbourhood Plan for the area covered by the Civil Parish of Pattishall, as shown on the attached map.

The entirety of the Parish is considered to be the area most appropriate to be designate as a neighbourhood area for planning purposes, as it is a long established, well recognised and clearly defined area.

The Parish Council is made up of three main villages, Pattishall, Eastcote and Astcote, with three further hamlets, part of Fosters Booth, Dalscote and Cornhill.

Pattishall Parish Council is a ‘relevant body’ for the purpose of Section 61G of the 1990 Act, and is therefore qualified to undertake neighbourhood planning. It is a democratically elected body representing the whole community within the Parish and is committed to ensuring that future planning decisions within this area reflect the community’s wishes.

Yours sincerely,

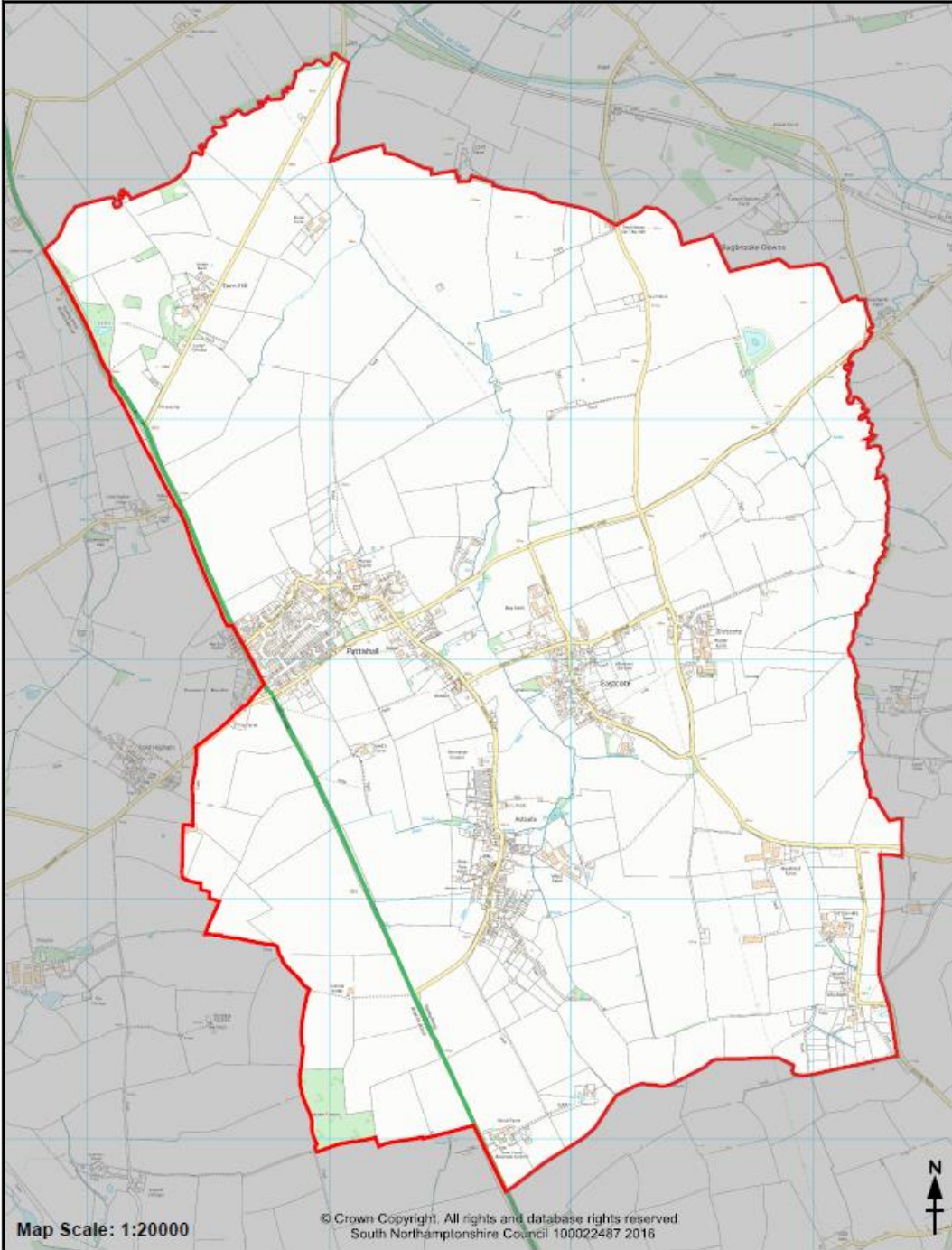
Ann Addison  
Ann Addison Clerk to Pattishall Parish Council  
Written on behalf of Pattishall Parish Council



# Pattishall Neighbourhood Area



South  
Northamptonshire  
Council



Map Scale: 1:20000

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