Designation of Silverstone Parish as a Neighbourhood Area

Report of the Head of Strategic Planning and the Economy

This report is public

Purpose of report

To consider and endorse the designation of Silverstone Parish, as a Neighbourhood Area, for the purpose of producing a Neighbourhood Plan.

1.0 Recommendations

The meeting is recommended:

1.1 To endorse the designation of Silverstone Parish as a Neighbourhood Area.

1.2 To recommend that Full Council approves Silverstone as a Neighbourhood Area.

2.0 Introduction

2.1 The 2011 Localism Act gave Town and Parish Councils the powers to prepare Neighbourhood Plans for their area. They give communities the opportunity to help to shape their local areas. They may be drawn up by Town/Parish Councils in Districts such as South Northamptonshire that already have designated Parishes. Once adopted Neighbourhood Plans will carry full statutory weight as part of the Local Plan for the area, and due regard must be had when making decisions on planning applications.

2.2 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.

2.3 In order to obtain approval of designation as a Neighbourhood Area Parish Councils must apply 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 1st 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 Council’s current procedure that the boundaries come to this Committee for prior approval. It is also proposed that SNC still publicises 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 Silverstone Parish Council has applied to SNC for designation of their parish as a Neighbourhood Area. The entire parish boundary has been used and it was submitted by the existing Parish Council. Therefore as stated above, a public consultation is no longer required.

4.2 The Parish Council has confirmed that the entire parish boundary was included for the following reasons:

i. The Parish is a well-established, recognised and a clearly defined area, entirely within the remit of Silverstone Parish Council.
ii. The vast majority of residents live in one nuclear settlement which has a clear social identity.
4.3 The Parish Council has also submitted a statement stating that the organisation/body is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990 (as amended) and is therefore qualified to undertake neighbourhood planning. Their reasoning is that the Parish Council is a democratically elected body representing the entire local community within the Parish; and that they are also completely 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 proposed Neighbourhood Area is appropriate for Silverstone Parish, as the area uses the whole of the existing parish boundary. It is therefore recommended that the designation of Silverstone Parish as a Neighbourhood Areas should be endorsed by Planning Policy Committee, ready for Full Council to approve the area.

5.2 Designation of a Neighbourhood Area is the first step in the preparation of a Neighbourhood Plan. Once a Neighbourhood Area is designated the next stage is for the Parish Council to engage with their communities and prepare their Plan. The process requires at least one formal parish led 6 week consultation period on their Draft Plan. 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 Plan 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 plan. Following this we at the District Council will facilitate and fund an Independent Examination into the Plan and submit any representations received during the publication period. Providing that the Examiner recommends that the Neighbourhood Plan is taken forward, a local Referendum will then be called for, which the District Council will be responsible for facilitating and funding. The Plan requires the support of the majority of those who vote in the referendum.

5.4 If the Referendum indicates community support, the Neighbourhood Plan 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 significant financial implications at this stage of the Neighbourhood Area designation, however in terms of resources in line with 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 Council/ Neighbourhood Forum.

Comments checked by:
Paul Sutton, Chief Finance Officer, 0300 003 0106
paul.sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

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

Comments checked by:
Nigel Bell, Team Leader Planning, 01295 221687
nigel.bell@cherwellandsouthnorthants.gov.uk

9.0 Decision Information

Wards Affected

Silverstone

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
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<td>Application letter for Designation of Silverstone Parish as a Neighbourhood Area.</td>
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**Background Papers**  
None

**Report Author**  
Jennie Johnson, Planning Policy Officer

**Contact Information**  
01327 322382  
jennie.johnson@southnorthants.gov.uk