

Designation of Neighbourhood Area – South Petherton Parish

<i>Executive Portfolio Holder:</i>	<i>Tim Carroll, Finance and Spatial Planning</i>
<i>Strategic Director:</i>	<i>Rina Singh, Strategic Director, Place and Performance</i>
<i>Assistant Director:</i>	<i>Martin Woods, Assistant Director Economy</i>
<i>Service Manager:</i>	<i>Paul Wheatley, Principal Spatial Planner</i>
<i>Lead Officer:</i>	<i>Jo Wilkins, Policy Planner</i>
<i>Contact Details:</i>	<i>Jo.wilkins@southsomerset.gov.uk or (01935) 462588</i>

Purpose of the Report

The purpose of this report is to seek the formal designation of South Petherton Parish Neighbourhood Area in accordance with The Neighbourhood Planning (General) Regulations 2012.

Public Interest

Neighbourhood Plans were introduced by the Localism Act 2011 and the process for producing them is set out in 'The Neighbourhood Planning (General) Regulations 2012'. A Neighbourhood Plan is a community-led framework for guiding the future development, regeneration and conservation of a Parish (or group of parishes). It may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It can deal with a wide range of social, economic and environmental issues (such as housing, employment, heritage and transport) or it may focus on one or two key local issues only.

1. Recommendation

- 1.1 Subject to a verbal update from the Lead Officer on any objections that might have arisen during the consultation period, the District Executive agree to designate the Civil Parish of South Petherton as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan as set out in the Localism Act 2011.

2. Background

- 2.1. Neighbourhood Plans were introduced by the Localism Act 2011 and the process for producing them is set out in 'The Neighbourhood Planning (General) Regulations 2012'.
- 2.2. At District Executive on 7 March 2013 members considered a report to seek their approval of the proposed approach to Neighbourhood Planning at South Somerset District Council and to inform them of the outcomes of the Town and Parish Council workshops held at the end of 2012. At the meeting the District Executive resolved to agree:
 - the decision on designation of a neighbourhood area would be considered by District Executive Committee where:-
 - There are a significant number of businesses operating in the area;
 - The area overlaps with an existing neighbourhood area;
 - The community relies on a much wider population or facilities in a neighbouring area;
 - Local Plan allocations or directions for growth extend into the proposed area;
 - There have been significant issues raised through the consultation process.

- that in all other instances the decision to approve a neighbourhood area would be delegated to the Assistant Director (Economy) in consultation with the relevant affected and adjacent Ward Members and Portfolio Holder.
- 2.3. On 9 February 2015 the 'Neighbourhood Planning (General) (Amendment) Regulations' came into force. They require Neighbourhood Areas (NA) to be designated within set time periods, which are:
1. Where a NA application falls across two or more LPA's the designation must be decided within 20 weeks of the date immediately following the date on which the application is first publicised. In cases such as this the consultation period is at least 6 weeks.
 2. Where the relevant body is the Parish Council and the application relates to the whole parish, the designation must be decided within 8 weeks from the date immediately following the date the application is first publicised. The consultation period in this instance is a minimum of 4 weeks.
 3. In all other cases the designation must be decided within 13 weeks from the date immediately following the date the application is first publicised. In cases such as this the consultation period is at least 6 weeks.

3. South Petherton's Application to be Designated a Neighbourhood Area

- 3.1. Regulation 5 of The Neighbourhood Planning (General) Regulations 2012 requires that where a "relevant body" (i.e. the Parish or Town Council) makes an application to the Local Planning Authority (LPA) for designation of a neighbourhood area it must include the following:
- A map showing the area the application relates to;
 - A statement explaining why it is appropriate to be designated a neighbourhood area;
 - A statement that the organisation making the application is a relevant body (for the purposes of section 61G of the Town and Country Planning Act 1990).
- 3.2. South Petherton Parish Council provided SSDC with the required information in February 2015, and the South Petherton NA application was duly advertised for consultation from 26 February 2015 until 27 March 2015. The South Petherton NA application documents are attached as Appendix A (this includes the map produced by SSDC).
- 3.3. South Petherton's NA application was made by the Parish Council and relates to the whole parish; and therefore their application must be decided within 8 weeks, which is the 23 April 2015.
- 3.4. Under normal circumstances, when there are no significant issues raised during the consultation period, the decision to designate the neighbourhood area would be delegated to the Assistant Director (Economy) in consultation with the relevant affected and adjacent Ward Members and Portfolio Holder. Where there are significant issues raised the decision is passed to the District Executive Committee to decide whether to designate or not.
- 3.5. For South Petherton's application it is not expected that there will be any significant issues raised. However, as a precautionary measure, this report has been prepared for District Executive to allow for the opportunity for Members to make the formal

decision on whether to designate. Members will be given a verbal update on any consultation responses at District Executive Committee.

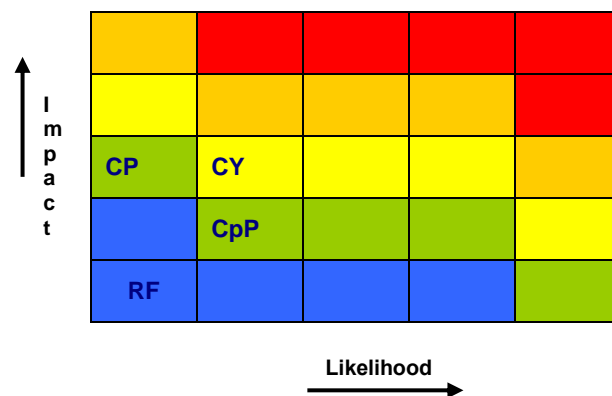
4. Next Steps

4.1. Once the decision has been made to designate a NA, the Local Planning Authority must publicise that information on their website and in any other manner they think is likely to bring the decision to the attention of the people who live and work in the application area. South Petherton Parish Council would then resource and produce their neighbourhood plan and the LPA will provide support as per the statutory guidance set out in paragraph 15.2 of the March 2013 report to District Executive. In the event that an application should be refused the LPA would have to publish their reasons why and give details of where the decision documentation can be seen.

5. Financial Implications

5.1. During 2015/16 the LPA will be able to claim some funding from CLG to assist with the cost of supporting Neighbourhood Planning. Following designation of any neighbourhood area an initial £5,000 can be claimed (up to a maximum of 20 areas per year per LPA) in recognition of the officer time supporting and advising the community in taking forward a neighbourhood plan. A second payment of £5,000 will be made to the LPA when it publicises the neighbourhood plan prior to examination and finally a third payment of £20,000 will be made on successful completion of the neighbourhood planning examination to cover costs (not dependent on going to referendum).

6. Risk Matrix



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

7. Corporate Priority Implications

Focus Four: Health and Communities of the Council Plan – Our Plan – Your Future 2012 to 2015 includes the following action:

Assist Queen Camel to complete their Neighbourhood Development plan and use the lessons from this pilot scheme to help other communities to develop their plans.

The lessons learned from working with Queen Camel on their Neighbourhood Planning process can be applied when working with South Petherton where applicable.

8. Carbon Emissions and Climate Change Implications

None

9. Equality and Diversity Implications

It will be the responsibility of the Town Council to ensure that Equality considerations are embedded in the Neighbourhood Plan.

10. Background Papers

Report to District Executive on Neighbourhood Plans, March 2013.

Appendix A: Neighbourhood Area Application Documents



SOUTH-PETHERTON-PARISH-COUNCIL

..... Clerk to the Parish Bruce Poole BA (Hons); Fellow ILCM, MMC

Rooftops 10 South Street Burnham-on-Sea Somerset TA8 1B S
Tel: 01883 601911; E-Mail: clerk@southpethertonparishcouncil.gov.uk
Office Hours 10.00 am – 1.00 pm Monday to Friday

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Monday 23rd February 2015

Mark Williams
Chief Executive
South Somerset District Council
Brympton Way
Yeovil
BA20 2HT

Dear Mr Williams

Neighbourhood Planning (General) Regulations Part 2(5)

On behalf of South Petherton Parish Council I would like to confirm that the Council wishes to make an application under the Neighbourhood Planning (2012) Regulations for the designation of the entire Parish of South Petherton as a Neighbourhood Area for the South Petherton Neighbourhood Plan.

I attach a map showing the extent of the Parish, which constitutes the entire Parish of South Petherton.

The entire Parish is considered to be the appropriate designated area because it is a well recognised and properly constituted area, entirely within the remit of the Parish Council and was the area used for the Parish Plan in 2005 which was accepted and referenced by both your District Council and the County Council.

South Petherton Parish Council is a 'relevant body' for the purposes of section 61G of the 1990 Town and County Planning Act.

The Parish Council intends to prepare itself to be able to take advantage of the Community Rights as laid down in the Localism Act 2012, and to ensure that it has a significant voice in any decision concerning planning and other issues related to its local circumstances. We also understand that the completion of a Neighbourhood Plan and a successful outcome to the ensuing referendum will ensure that statutory bodies will be able to be clear about what the local community wants for its future development and that the Parish Council will be in a position to evidence any comments or concerns it may have over any issue.

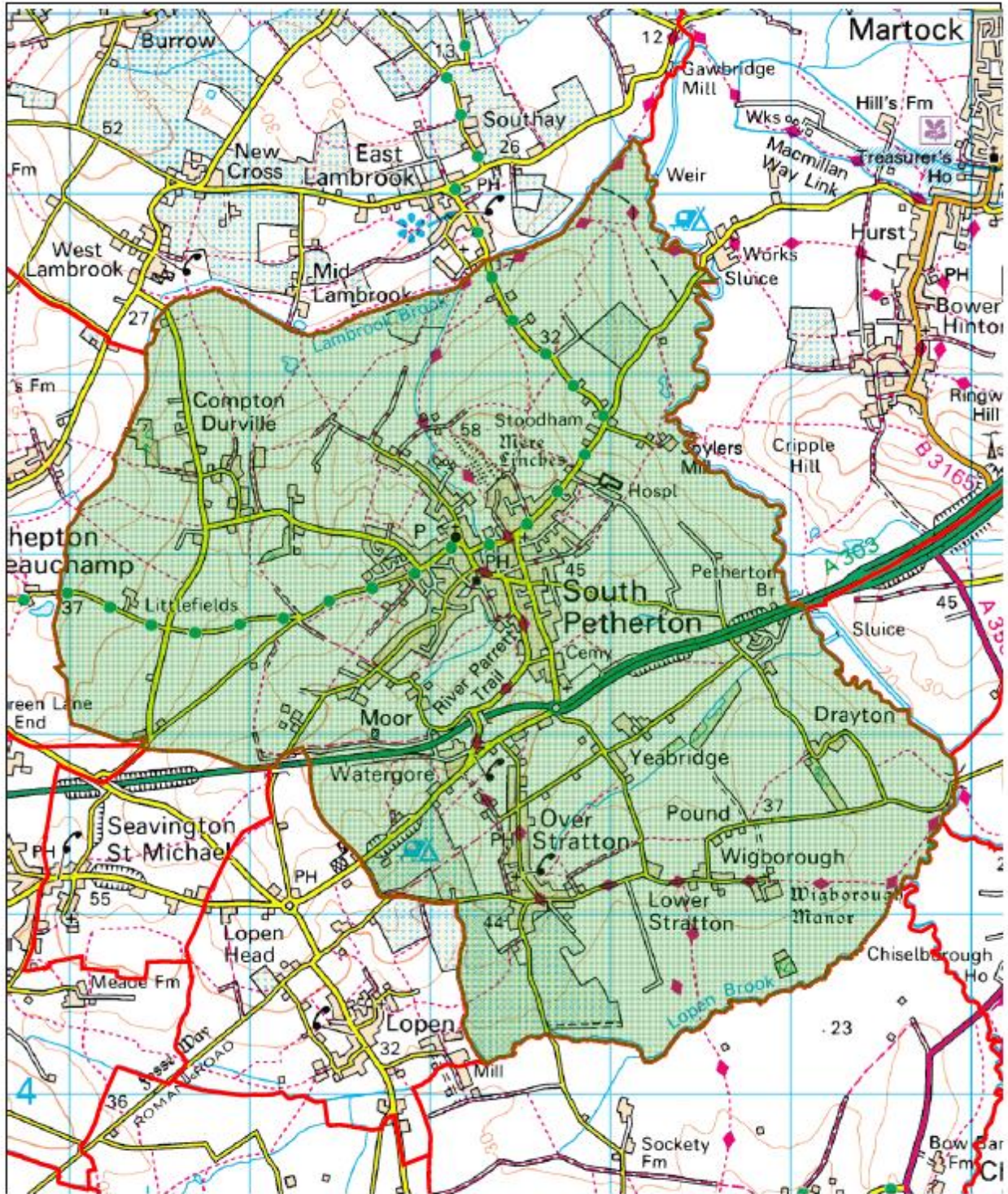
Yours sincerely

Bruce Poole
Parish Clerk

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South Petherton Parish





Name of neighbourhood area: South Petherton Proposed Neighbourhood Area

1:10,000

Area application date: February 2015

Organisation who made the application: South Petherton Parish Council



■ Proposed South Petherton Neighbourhood Area
■ Parish Boundaries



This map is available on Ordnance Survey maps and other products of OS. It is not a legal document. It is the responsibility of the Council to ensure that the map is accurate and up to date. It is not a legal document. It is the responsibility of the Council to ensure that the map is accurate and up to date. It is not a legal document. It is the responsibility of the Council to ensure that the map is accurate and up to date.