

Date 10th October 2017
Consideration of an application from
Startforth Parish Council to designate
Startforth Parish Neighbourhood Area.



Report of Stuart Timmiss, Head of Planning & Assets,
Regeneration and Economic Development to
Cabinet Portfolio Member for Economic Regeneration – Councillor
Carl Marshall
and Cabinet Portfolio Member for Neighbourhoods & Local
Partnerships - Councillor Brian Stephens

Purpose

The purpose of this report is to consider the acceptability of an application which has been made to the County Council by Startforth Parish Council to designate a Neighbourhood Area within its locality to be known as 'Startforth Parish Neighbourhood Area' (the boundary of which includes the whole parish area and is shown on the map located at Appendix 1).

Background

This Neighbourhood Area application was submitted by Startforth Parish Council on 6th October 2017.

The designation of a Neighbourhood Area is the first formal stage of the Neighbourhood Planning process. The application has been submitted with the intention of Startforth Parish Council undertaking neighbourhood planning activity within the parish.

The proposed Neighbourhood Area falls wholly within the jurisdiction of Durham County and Startforth Parish Council areas.

Issues for Consideration

The application has been submitted by the Parish Council which meets the definition of a 'Relevant Body'¹ for the area. The proposed area is located within the jurisdiction of the Parish Council. The application is therefore valid in this respect.

The Parish Council have confirmed that the boundary for the Neighbourhood Area includes the whole of the parish area. The application states that the Neighbourhood Area for Startforth encompasses the whole of the Parish in accordance with the general presumption in Section 61 G(4)(a) of the Town and Country Planning Act, which refers to the 'desirability of designating the whole of the area of a parish council as a neighbourhood area'.

¹ As defined by Section 61 G (2) Parish and Country Planning Act (1990), inserted by para.2 Schedule 9 Localism Act 2011 (c.20)

The proposed Neighbourhood Area is not wholly or predominantly business in nature and therefore it would be neither justifiable nor appropriate to designate it as a designated as a 'business area'².

In light of the above no issues have been identified which would suggest that the boundaries proposed are inappropriate from a neighbourhood planning perspective. The application is therefore considered acceptable in this respect.

Given recent changes to the Neighbourhood Planning Regulations a consultation period publicising the application is not required as the area specified in the application consists of the whole of the Startforth Parish Council's area. As such the local planning authority (Durham County Council) must exercise its powers under section 61G of the Town and Country Planning Act 1990 to designate the specified area as a neighbourhood area³.

Next steps

Upon the determination of this application there is a requirement for the Durham County Council to publicise its decision to designate the Startforth Parish Neighbourhood Area on its Website and in such a manner that is likely to bring the designation to the attention of people who live, work or carry on business in neighbourhood area.

Conclusion

The application has been considered in accordance with the key considerations outlined above and is considered to be appropriate in all respects.

Recommendation

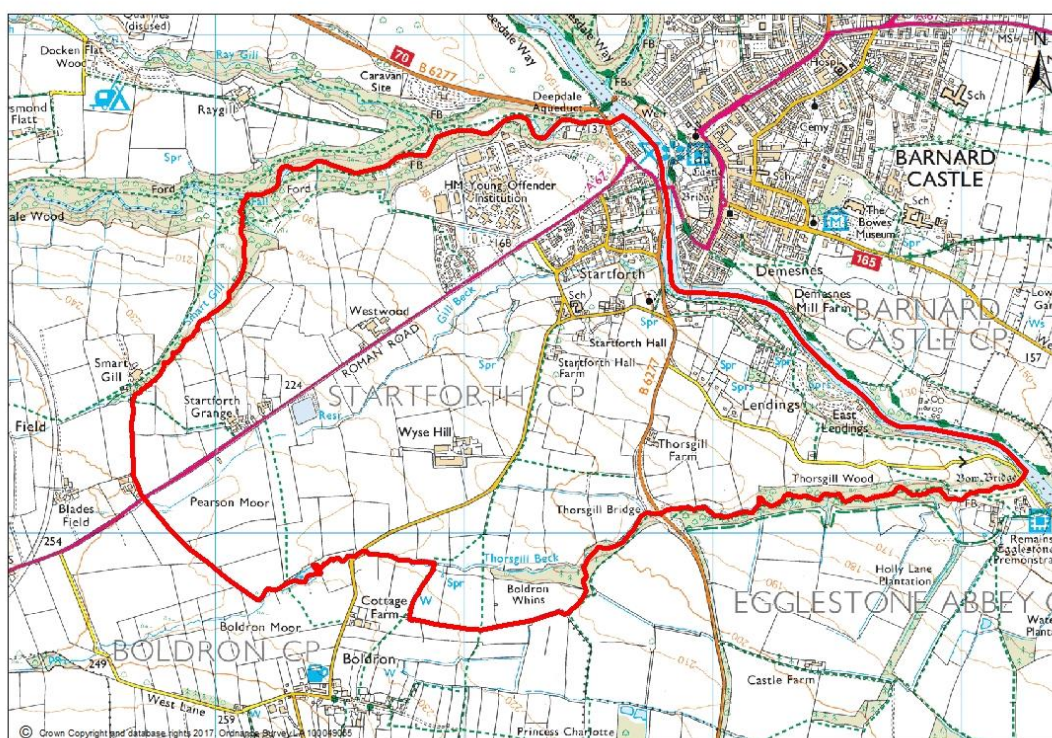
That the Neighbourhood Area to be known as the 'Startforth Parish Neighbourhood Area' as submitted is designated and the appropriate publicity be carried out.

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² As required by Section 61 H of the Localism Act 2011.

³ The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 and Planning Practice Guidance para 036 Ref ID: 41-036-20140306

Appendix 1: The Proposed boundaries of the Startforth Parish Neighbourhood Area (Red Line)



Appendix 2: Implications

Finance – Upon designation the County Council will be eligible to seek Neighbourhood Plan Grant from DCLG to support neighbourhood plan preparation in this area.

Staffing – The Spatial Policy Team will be required to provide support to forthcoming neighbourhood planning activity within the designated Neighbourhood Area.

Equality and Diversity – Equality and Diversity will be an integral part of policy development in any forthcoming Neighbourhood Plan. An Equality Impact Assessment is not required in respect to the consideration of this application.

Risk- None identified

Consultation – No further consultation is required in respect to this matter although the Council will be required to publicise its decision.

Procurement – None.

Disability Discrimination Act – None.

Legal Implications – The application has been determined in accordance with the relevant regulations.