

Subject: Quinton Neighbourhood Plan Area Designation
Lead Officer: Matthew Neal
Contact on 01789 260320
Lead Member
Portfolio Holder: Councillor C Saint

Summary

The report provides information on Neighbourhood Planning and its process. It summarises the consultation representations received in relation to the proposed Quinton Neighbourhood Plan and recommends designating the Neighbourhood Plan Area as submitted by Quinton Parish Council. This will enable the formal preparation of the Quinton Neighbourhood Plan.

Recommendation

That the Quinton Neighbourhood Plan Area be designated as submitted in Appendix 1 and 2.

1. Background/Information

- 1.1 The District Council has carried out consultation on the area application submitted by Quinton Parish Council for the formal designation of a Quinton Neighbourhood Plan Area. The Neighbourhood Plan Area comprises Quinton Parish. A copy of the area application is attached to this report as **Appendix 1 and 2.**

2 What is a Neighbourhood Plan?

- 2.1 Once adopted, a Neighbourhood Plan will form part of the statutory Local Plan for the area. Consequently, the Local Planning Authority is required to make decisions in accordance with the Neighbourhood Plan, unless material considerations indicate otherwise; in the same manner by which it makes decisions in accordance with the Development Plan. A Neighbourhood Plan is therefore a significant planning document, which may be prepared by a Town or Parish Council, or combination of parishes, (or Neighbourhood Forum in non-parished areas) with the local communities. The Neighbourhood Plan is able to set out policies on development and planning policies in response to local issues. A Neighbourhood Plan is required to be in general conformity with the Development Plan policies and the National Planning Policy Framework.
- 2.2 There are a number of key procedural stages involved in the Neighbourhood Planning process. These include the following:
- Designation of a Neighbourhood Plan Area
 - Presubmission consultation and publicity of the Neighbourhood Plan
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- Submission of the Plan to the Local Planning Authority
- Consideration of the Plan by the Local Planning Authority relating to its conformity with the Development Plan
- Consideration of the Plan by an Independent Examiner
- Referendum of the local community
- Adoption of the Neighbourhood Plan if 'sound'.

3. Designation of a Neighbourhood Plan Area

- 3.1 The designation of a Neighbourhood Plan Area is the first formal stage in the plan making process.
- 3.2 The Neighbourhood Planning (General) Regulations 2012 requires that a valid application for a Neighbourhood Plan designation includes the following information;
- A map which identifies the area to which the area application relates;
 - 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 Section 61G of the Town and Country Planning Act 1990 (as Amended).
- 3.3 The application contains a map which shows the proposed Neighbourhood Plan Area. Quinton Parish Council qualifies as a relevant body to submit an area application to the Local Planning Authority.
- 3.4 The area application also includes a statement to explain why the area is considered appropriate as a Neighbourhood Area. Quinton Parish Council states that:
- *'The area covered by this application is the whole of the Parish and does not intrude into any adjoining Parish. We consider our Parish boundary of Quinton Parish in its entirety to be appropriate to define the Neighbourhood Plan Area. It is recognised that there will be a need to consult with our neighbouring parishes on all appropriate sites where there is a mutual interest, in particular with Marston Sicca Parish Council in relation to the Long Marston Airfield'.*
- 3.5 Consultation has been carried out on the proposed area application in line with the Neighbourhood Planning (General) Regulations 2012. The consultation period commenced on 9 October and finished on 21 November 2014.
- 3.6 The consultation was carried out by publishing a copy of the area application on the District Council's website. A public notice was placed in the Stratford Herald, Stratford Observer and Evesham Journal. In addition, an email notification was sent to all stakeholders and interested parties, in accordance with Schedule 1 of the Neighbourhood Planning (General) Regulations 2012. A copy of the area application and the public notice were also displayed in the Stratford-upon-Avon library and in the Council offices. Furthermore, laminated copies of the proposed area map and public notice were also sent out to the Parish Council, for distribution in the village by the Quinton Neighbourhood Plan Steering Group. A press release was also sent to the radio station Touch FM.
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- 3.7 Six consultation representations were received in response to the area application. The Coal Authority had no comments to make. The Inland Waterways Association supported the application and English Heritage, The Highways Agency, Natural England and Sport England had no objections. All responses have been forwarded to the Quinton Neighbourhood Plan Steering Group for their records.
- 3.8 When determining an area application, the Council is required to consider how desirable it is designate the whole of the Parish Area as a Neighbourhood Area; to maintain the existing boundaries of areas already designated as Neighbourhood Areas; and to consider whether it is appropriate to designate the area as a business area in accordance with Section 61G and H of the Town and Country Planning Act (TCPA) 1990.
- 3.9 To assess the appropriateness of any proposed Neighbourhood Area, the Local Planning Authority must ensure that Neighbourhood Areas are coherent, consistent and appropriate in planning terms. As well as considering consultation representations, other factors may be taken into account. These may include the following:
- Any natural or man-made features (such as rivers or mountains, roads, railway lines or canals);
 - Catchment areas for current and planned infrastructure and services (e.g. schools);
 - Development proposals and allocations and environmental designations.
- 3.10 Consideration should be given to whether there would be any overlapping of Neighbourhood Plan Areas. The proposed area comprises the existing parish boundary, so there would be no overlapping with adjacent neighbourhood boundaries.
- 3.11 A neighbourhood area can include land allocated in a Local Plan as a strategic site. In circumstances where a proposed neighbourhood area includes such a site, those wishing to produce a neighbourhood plan should discuss with the local planning authority the particular planning context and circumstances that may inform the local planning authority's decision on the area it will designate.
- 3.12 Whilst a neighbourhood plan can designate strategic sites, the scale of the potential/proposed developments on strategic sites would be regarded as meeting wider strategic needs, whereas a neighbourhood plan should solely focus on addressing local development needs. With this in mind it is not expected that a neighbourhood plan should attempt to deal with schemes of this potential size in any shape or form.
- 3.13 Planning Aid (who provide free, independent professional planning advice to individuals, Local Authorities and communities) has advised that strategic sites allocated in the Core Strategy should be excluded from proposed neighbourhood areas. They consider that such large sites should be addressed through master plans and the Parish Council should engage through this process rather than proposing anything in the neighbourhood plan. The neighbourhood area should therefore be aligned with the strategic needs and priorities of the wider area and only
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direct local development that is outside the strategic elements of the Local Plan.

- 3.14 In the case of Quinton, the Parish Council has decided to apply for the Parish boundary as their neighbourhood area, which includes part of the Meon Vale (Depot) site. Whilst this does not strictly comply with the advice from Planning Aid, the part of Meon Vale within Quinton Parish is only a small proportion of the overall site and is the part of the site which has already been agreed through the approval of a number of planning applications and is currently under construction. Their application recognises that there will be a need to consult with Marston Sicca on sites where there is a mutual interest (including Long Marston Airfield), should there ever be a need to do so. Given that only part of the strategic site of Meon Vale is included within Quinton Parish and this part of the site is already being re-developed through a separate planning process, I consider this to be a logical and acceptable approach and I do not foresee any negative implications to the neighbourhood plan processes being pursued by Quinton or the adjacent Parish of Marston Sicca through this approach.
- 3.15 Section 61H of the TCPA 1990 states that in deciding to designate a Neighbourhood Area, Local Authorities should consider that the area is wholly or predominantly business in nature. Given that the proposed area comprises the existing Quinton Parish, it would not be appropriate to designate it as a business area.
- 3.16 Government guidance from the Planning Advisory Service states that unless there are valid planning reasons, Local Planning Authorities should approve area applications.

4. Options available to the Cabinet

- 4.1 The following options are available in relation to the Quinton Neighbourhood Plan:

Option 1

To approve the Quinton Neighbourhood Plan Area so that it may be designated as such, and enable the further development of the Quinton Neighbourhood Plan.

Option 2

To refuse the Quinton Neighbourhood Plan Area designation and to publish a notice of its refusal on the District Council's website in line with the Neighbourhood Planning (General) Regulations 2012.

5. Members' Comments

- 5.1 At the time of writing the report, no comments had been received from Councillor Mike Brain in respect of the proposed Quinton Neighbourhood Plan Area designation application.

6. Implications of the Proposal

6.1 *Legal/Human Rights Implications*

- 6.1.1 The Localism Act 2011 places a legal requirement on the District Council to assist and support local communities in the preparation of Neighbourhood Plans.
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6.1.2 Neighbourhood Plans must however be compatible with EU obligations and Human Rights requirements together with such plans having regard to national planning policy and be in general conformity with strategic policies in the development plan for the area.

6.1.3 The District Council is under a duty to bring them into force, following examination of the Neighbourhood Plan by an independent qualified person, confirming that conditions in 6.1.2 have been met and thereafter such plans have been passed by a Local Referendum.

6.2 ***Financial***

6.2.1 The Department of Communities and Local Government has provided funding to Local Authorities, to enable them to fulfil their statutory duty to 'assist and support' local communities in the preparation of Neighbourhood Plans. Any additional costs will be met within existing resources.

6.3 ***Environmental***

6.3.1 Neighbourhood Plans are not required to carry out the type of sustainability appraisal necessary for a Development Plan Document as required by the Town and Country Planning Act 2004. There may be the need to carry out a Strategic Environmental Assessment (SEA) depending on the content of the Neighbourhood Plan. Local Planning Authorities are advised to undertake an early SEA screening of the plan to determine whether it is required. However, it is not required for the consideration of an area application.

6.4 ***Corporate Strategy***

6.4.1 The designation of a Neighbourhood Area is the first formal step in the production of a Neighbourhood Plan. As such, it will contribute towards Aim One 'Addressing local housing need' and Aim Three 'Improving access to services' of the Stratford-on-Avon District Council's Corporate Strategy. Through the preparation of a Neighbourhood Plan for Quinton, its residents may have more influence over development and decisions that affects their area.

6.5 ***Analysis of the effects on Equality***

6.5.1 No issues identified.

7. ***Risk Assessment***

7.1 Government guidance produced by the Planning Advisory Service states that unless there are valid planning reasons, Local Authorities should approve Area applications. If the Council decides to refuse the application, it must publish its decision and statement of reasons. Any decision to refuse the Area application should be founded on robust reasoning or the Council would be subject to a legal challenge.

8. ***Conclusion***

8.1 An Area application has been submitted by Quinton Parish Council for the designation of the Parish of Quinton as a Neighbourhood Plan Area by the District Council. This is the first formal stage in the neighbourhood planning process and if adopted, it will enable the further development of the Quinton Neighbourhood Plan.

Paul Lankester
CHIEF EXECUTIVE



REPORT INFORMATION SHEET

Please complete and submit to Committee Services with draft report

Committee/Date	Cabinet on 19 January 2015	
Item No/Title of report	Quinton Neighbourhood Plan Area application	
CONSULTATIONS UNDERTAKEN		
Consultee	✓	Details / Date of consultation / comments received
Ward Members		Cllr Mike Brain
Committee Chairman/ Portfolioholder * <i>*Required</i>		
Financial Services * <i>*Required</i>		
Legal Services * <i>*Required</i>		
Other Services		
Other organisations		
Final decision by this Committee or recommendation to another committee/Council ?		Final decision Recommendation to The Cabinet
Does this report contain exempt information? If so, under which paragraph(s) ?		No
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)		No
